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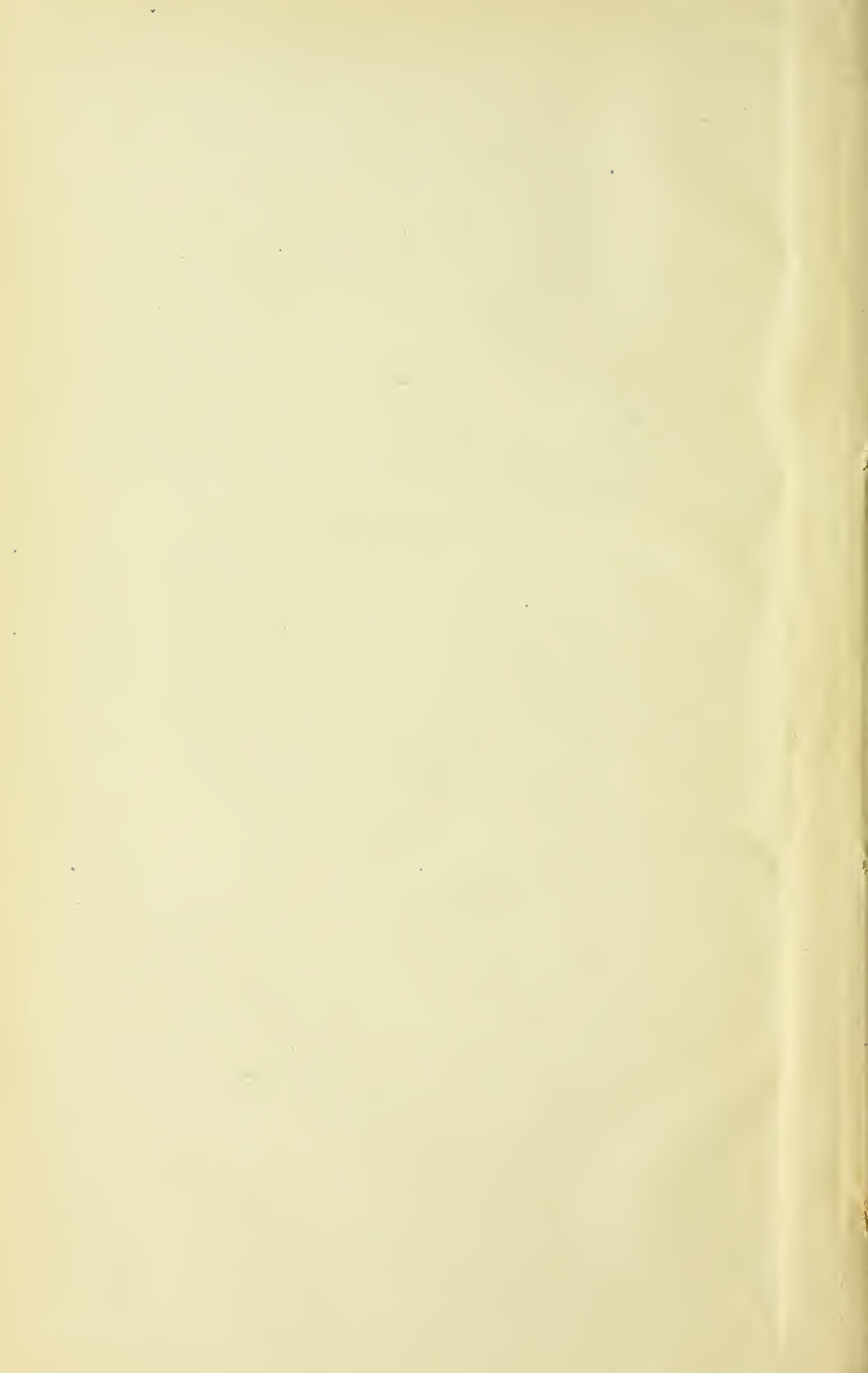
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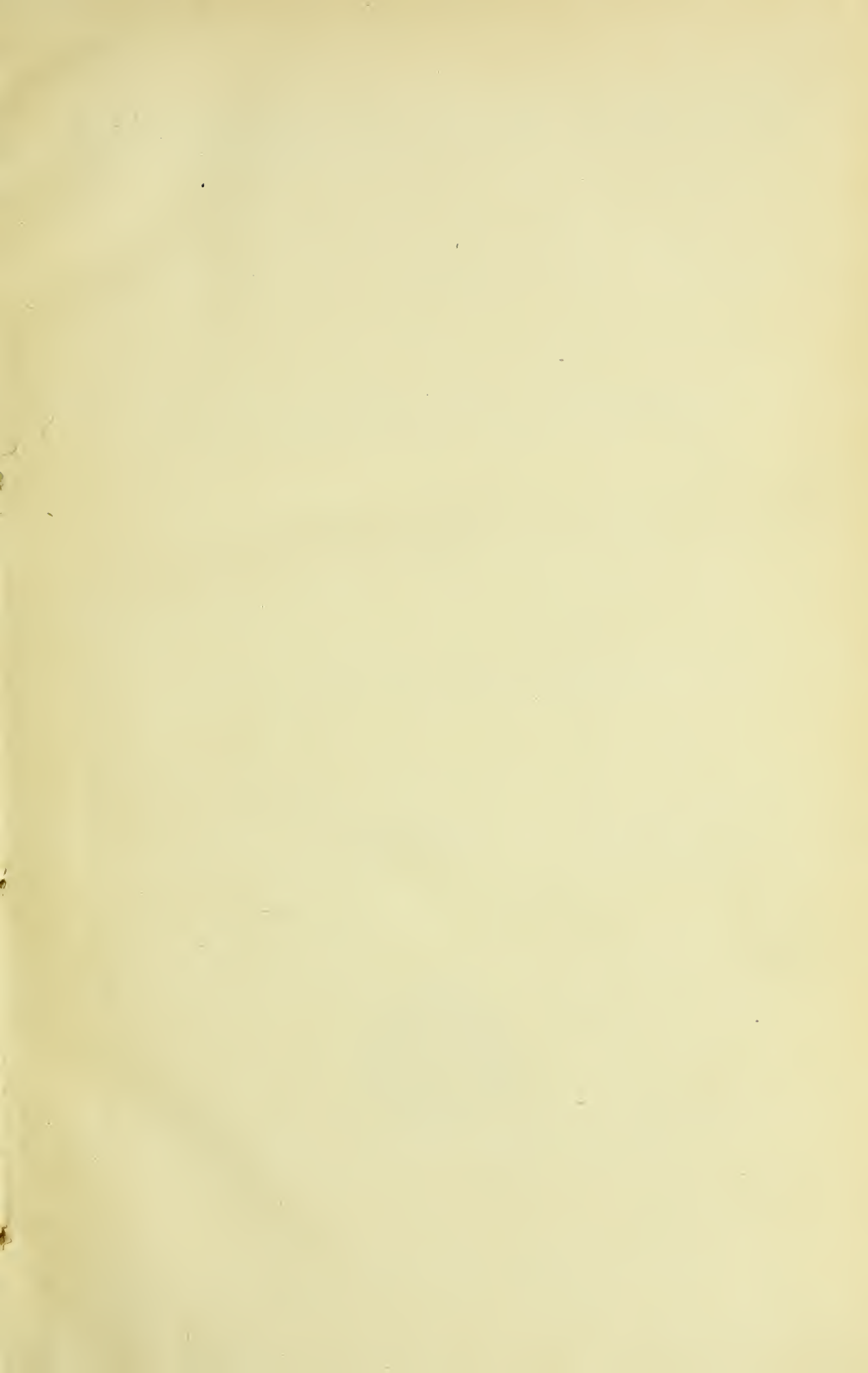
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# JOURNAL OF THE SENATE

OF THE

## 41ST GENERAL ASSEMBLY

OF THE

## STATE OF MISSOURI

1901.



JEFFERSON CITY, MO.:  
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1901.

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# JOURNAL OF THE SENATE.

FIRST DAY—Wednesday, January 2, 1901.

The Senate was called to order at 12 m. by Hon. A. H. Bolte, Lieutenant-Governor, and President of the Senate.

A quorum present.

Prayer by Rev. G. L. Neide, Jr.

The President made the following appointments of officers for the temporary organization:

Rev. G. L. Neide, Jr., Chaplain; Cornelius Roach, Secretary; Clark Dooley, Assistant Secretary; C. F. Murphy, Minute Clerk; H. P. Farrow, Journal Clerk; L. H. Depriest, Journal Clerk; Cortez A. Kitchen, Official Reporter; Sam Stanton, Door-keeper; C. B. Tilden, Sergeant-at-arms; John Brant, Jr., Richard Pohlman, Pages.

The President laid before the Senate the following communication from the Secretary of State:

STATE OF MISSOURI, DEPARTMENT OF STATE, }  
CITY OF JEFFERSON, January 2, 1901. }

To the Honorable, the Senate of the Forty-first General Assembly of the State of Missouri:

Sirs—As required by law, I have the honor to lay before your honorable body herewith a list of the names of the members of the Senate of the State of Missouri, elected at the general election held on the sixth day of November, A. D. 1900, and also a list of the members of said Senate holding over, and elected at the general election held on the eighth day of November, A. D. 1898, as the same appears from the returns of said elections in my office.

I have the honor to be very respectfully your obedient servant.

A. A. LESUEUR,  
Secretary of State.

*Senators elected to the Forty-first General Assembly of the State of Missouri at the November election, 1900:*

|                            |                              |
|----------------------------|------------------------------|
| William E. Stubbs.....     | First district.....          |
| Frank Costello.....        | Third district.....          |
| Jesse L. Jewell.....       | Fifth district.....          |
| Charles W. Clarke.....     | Seventh district.....        |
| Thos. L. Rubey.....        | Ninth district.....          |
| M. R. K. Biggs.....        | Eleventh district.....       |
| H. Clay Heather.....       | Thirteenth district.....     |
| Ernest D. Martin.....      | Fifteenth district.....      |
| Nick M. Bradley.....       | Seventeenth district.....    |
| William P. Sullivan.....   | Nineteenth district.....     |
| George T. Lee.....         | Twenty-first district.....   |
| John E. Marshall.....      | Twenty-third district.....   |
| Buell L. Matthews.....     | Twenty-fifth district.....   |
| E. M. Zevely.....          | Twenty-seventh district..... |
| Charles A. Smith.....      | Twenty-ninth district.....   |
| John P. Collins.....       | Thirty-first district.....   |
| William J. Schoenlaub..... | Thirty-third district.....   |

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*Senators holding over—Elected 1898.*

|                        |                             |
|------------------------|-----------------------------|
| William H. Haynes..... | Second district.....        |
| Samuel P. Davison..... | Fourth district.....        |
| Emmett B. Fields.....  | Sixth district.....         |
| John F. Morton.....    | Eighth district.....        |
| Charles J. Walker..... | Tenth district.....         |
| Emert A. Dowell.....   | Twelfth district.....       |
| Stephen Cooper.....    | Fourteenth district.....    |
| John C. Whaley.....    | Sixteenth district.....     |
| John F. Tandy.....     | Eighteenth district.....    |
| Herbert M. Ramp.....   | Twentieth district.....     |
| James Orchard.....     | Twenty-second district..... |
| Frank H. Farris.....   | Twenty-fourth district..... |
| John S. Clay.....      | Twenty-sixth district.....  |
| Benj. F. Thomas.....   | Twenty-eighth district..... |
| Thomas C. Martin.....  | Thirtieth district.....     |
| John W. Drabelle.....  | Thirty-second district..... |
| James M. Rollins.....  | Thirty-fourth district..... |

On motion of Senator Morton, the list of Senators-elect was called and the following Senators advanced to the bar of the Senate and took the oath of office administered by Chief Justice Gantt of the Supreme Court:

SENATORS—

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Lee,      | Matthews, | Stubbs.     |
| Bradley,  | Heather,  | Rubey,    | Schoenlaub, |
| Collins,  | Marshall, | Sullivan, | Jewell,     |
| Costello, | Martin,   | Smith,    | Zevely.     |

The following resolution offered by Senator Walker was adopted:

*Resolved*, That the rules of the Fortieth General Assembly, as far as applicable (excepting committees and members thereof), be and the same are hereby adopted as the rules of the Forty-first General Assembly until the adoption by the Senate of the permanent rules of the Senate.

Senator Clarke offered the following motion and asked leave that it be filed and made a part of the record:

In the matter of contest proceedings by William F. Lyons, contestant, vs. Charles W. Clarke, contestee, before the Senate of Missouri:

Now comes said contestee, before this Senate, and shows to the Senate, that he is the duly elected and qualified member of this House, from the Seventh Senatorial district in Jackson county, being elected thereto at the general election held in November, 1900, but that his election to said office is being contested by William F. Lyons, and that in the progress of such contest, a notice of contest has been served upon him by contestant, but that said notice of contest does not, in good faith, comply with the laws, as to what said notice should contain, in this respect:

First—That the same is drawn for the purpose of evading the provisions of law, that the notice shall specify the names of the voters whose votes are contested, such notice containing a long list of voters beginning on third page of said notice, and attached to it as the list of voters whose votes are objected to, which list was the entire list of all of the voters, who were qualified to vote at said election in Kansas City, in the district from which said contestee was elected. And the notice alleges, that so many of the same as voted for the contestee, are illegal voters, without specifying which of them it is claimed voted for contestee, and which of them will be attacked as illegal voters. Wherefore, it is apparent, that this list of voters is not a sufficient specification of the names of the voters, whose votes are contested, within the meaning of the law, and for which reason contestee moves this Honorable Body, that in consideration of said contest, said entire list of voters, shall be stricken out of said notice of contest.

Second—And, further, contestee shows to this Honorable Body, that said notice is defective, in that it does not sufficiently, within the meaning of the law, specify the names of the voters whose votes are contested. And does not, when taken in connection with the fact, that no sufficient definite list of voters is included therein, correctly specify the ground upon which such votes are illegal, and that it nowhere contains a full statement of any other grounds, upon which said election is contested, for the further reason that of the grounds stated in said notice of contest, those which are on their face, good in some respects, necessarily include therein, to make them good grounds of contest, a reference to the list of voters above mentioned, and because said list of voters is so indefinitely specified, these grounds are not good. And, further, such of said grounds as do not directly refer to said list of voters to make them good, are not so stated as to make them good, even if the statements therein made, are true. Wherefore, for the reasons above stated, as the same may apply to each and every ground of contest, this contestee moves this Honorable Body separately, that each ground of contest set forth in said notice of contest, shall be stricken out and not considered.

Third—The contestee further shows to this Honorable Body, that the provisions of law as to contesting, have been further violated, in that, without his fault, and

against his objection, the taking of depositions in this cause, was not commenced within forty days from the date of said election. And that at the time said depositions were commenced, which was after the said forty days, he objected to the proceeding of said depositions, because not commenced in time. The fact being, that none of the justices selected to take said depositions, were, within forty days of said election, given a copy of the contestant's notice of contest. And that none of them had within that time, seen or read, either the original or a copy thereof. And the fact further being, that without fault of contestee, all of the justices required by law were not selected within that time, to all of which proceedings contestee objected at the time when they were made. Wherefore, he moves this Honorable Body to strike out said notice of contest and not to proceed with the consideration of said contest.

CHARLES W. CLARKE.

Senator Marshall introduced Constitutional amendment No. 1, relating to the resubmission to the people the question of repealing amendment No. 3 adopted at the late election.

On motion of Senator Walker, Senate adjourned to January 3, 1901 a. m.

## SECOND DAY—Thursday, January 3, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

Quorum present.

Prayer by Rev. G. L. Neide, Jr.

A roll call of the Senate showed all Senators present except Senator Martin of St. Louis, who was reported sick.

The journal of yesterday was read and approved.

The President submitted the following communication, which was read:

St. Louis, Mo., January 2, 1901.

To His Excellency, the Lieutenant-Governor Bolte, Jefferson City, Mo.:

Governor—At the request of the Hon. Thomas C. Martin of this city I wish to inform you, that the Senator is suffering from a complication of several diseases, that confine him to his room, disabling him to reassume his legislative duties at present.

Most respectfully yours,

JOSEPH RINGE, M. D.,

Attending Physician.

1800, S. Broadway.

Senator Farris moved that indefinite leave of absence be granted to Senator Martin of St. Louis;

Which was granted.

Senator Walker offered the following resolution:

Resolved, That a committee of five be appointed to prepare rules for the government of the Senate and report the same to this body.

Read and adopted.

Senator Morton moved to reconsider the vote by which Senator Walker's resolution was adopted.

Motion carried.

Senator Orchard moved that the Senate proceed to the election of permanent officers.

The motion was agreed to.

Senator Morton placed Senator Farris in nomination for President pro tem.

Senator Davisson put Senator Matthews in nomination.

The roll was called and Senator Farris was declared elected by the following vote:

For Mr. Farris—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Martin (of Saline), | Stubbs,    |
| Bradley,  | Fields,   | Matthews,           | Tandy,     |
| Clay,     | Haynes,   | Morton,             | Thomas,    |
| Collins,  | Heather,  | Orchard,            | Walker,    |
| Cooper,   | Lee,      | Rubey,              | Whaley,    |
| Costello, | Marshall, | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Matthews—Senators

|           |         |          |             |
|-----------|---------|----------|-------------|
| Clarke,   | Farris, | Ramp,    | Smith,      |
| Davisson, | Jewell, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Thomas nominated Cornelius Roach of Jasper county for Secretary.

Senator Ramp nominated J. M. Pidcock.

The roll was called and Cornelius Roach was declared elected by the following vote:

For Mr. Roach—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Heather,  | Rubey,              | Whaley,    |
| Costello, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Pidcock—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Heather nominated R. S. McClintic of Marion county for Assistant Secretary.

Senator Davisson nominated George Miller.

The roll was called and R. S. McClintic was declared elected by the following vote:

For Mr. McClintic—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Heather,  | Rubey,              | Whaley,    |
| Costello, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Miller—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Drabelle nominated C. A. Kitchen of St. Louis for Official Reporter.

Senator Rollins nominated F. H. Hussman.

The roll was called and Mr. Kitchen was declared elected by the following vote:

For Mr. Kitchen—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Jewell,   | Rubey,              | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Hussman—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Heather,  | Ramp,    | Smith,      |
| Costello, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Cooper nominated Rev. H. B. Boude of Moniteau county for Chaplain.

Senator Davisson nominated Rev. E. M. Harper.

The roll was called and the Rev. Mr. Boude was declared elected by the following vote:

For Mr. Bonde—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Heather,  | Rubey,              | Whaley,    |
| Costello, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Harper—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Rubey nominated J. E. Crumbaugh of Boone county for Door-keeper.

Senator Sullivan nominated James Case of Webster county.

The roll was called and Mr. Crumbaugh was declared elected by the following vote:

For Mr. Crumbaugh—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Heather,  | Rubey,              | Whaley,    |
| Costello, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Case—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Fields nominated J. B. Dameron for Sergenat-at-Arms.

Senator Rollins nominated Frederick C. Kreissman.

The roll was called and Mr. Dameron was declared elected by the following vote:

For Mr. Dameron—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Heather,  | Rubey,              | Whaley,    |
| Costello, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Kreissman—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

Senator Orchard nominated A. J. Summers for Folder.

Senator Rollins nominated J. B. Miller.

The roll was called and Mr. Summers was declared elected by the following vote:

For Mr. Summers—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Marshall,           | Stubbs,    |
| Bradley,  | Farris,   | Martin (of Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,             | Thomas,    |
| Collins,  | Haynes,   | Orchard,            | Walker,    |
| Cooper,   | Heather,  | Rubey,              | Whaley,    |
| Costello, | Lee,      | Schoenlaub,         | Zevely—25. |
| Dowell,   |           |                     |            |

For Mr. Miller—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—8. |

Sick—Senator Martin (St. Louis)—1.

On motion of Senator Haynes, the rules were suspended and pages elected by acclamation.

Stanley Kelley, Oliver Cummings, Ben Meyers, Glover Dowell.

On motion of Senator Haynes, the officers-elect of the Senate came forward and were sworn in by the President of the Senate.

Senator Martin offered the following resolution:

Resolved, That a committee of three Senators be appointed by the President to act with a like committee of the House of Representatives to inform the Governor that the Senate and House are organized and ready to receive any communications he may desire to submit to the General Assembly.

Which was read and adopted.

Senator Fields offered the following resolution:

Resolved, That the Secretary of the Senate inform the House of Representatives that the Senate is now organized by the election of Frank H. Farris, President pro tem.; Cornelius Roach, Secretary; Robt. S. McClintic, Asst Secretary; Cortez A. Kitchen, Official Reporter; Rev. H. B. Boude, Chaplain; J. E. Crumbaugh, Door-keeper; J. B. Dameron, Sergeant-at-Arms; A. J. Summers, Folder, and Masters Oliver Cummins, Glover Dowell, Denny Myers, and Stanley Kelley, pages; and is now ready for business.

Which was read and adopted.

Senator Drabelle offered the following resolution:

Be it resolved, That the publication of the official proceedings of the Senate of the 41st General Assembly be printed in the Jefferson City Daily Press, a morning paper; that the said publication of proceedings include the official calendar and that the Senate be supplied with 50 copies daily for use of the members and that the publishers of the Press be allowed 5 cents per copy for same to be paid out of the contingent fund.

Which was read and adopted.

Senator Clay introduced Senate bill No. 1, entitled

An act to provide for taxing franchises;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 2, entitled

An act amending section 5157 of article one of chapter 83, Revised Statutes of Missouri of 1889, in relation to funding county, township, school district and other bonds;

Read first time and 150 copies ordered printed.

Senator Orchard offered the following resolution:

Resolved, That Senators Cooper, Marshall and Morton act as a temporary Committee on Accounts, to audit all accounts of the Senate until the permanent Committee on Accounts shall be appointed; and that they be authorized to appoint a clerk for said committee during the continuation of the same.

Which was read and adopted.

Senator Morton moved that Walker, Thomas and Stubbs be appointed a committee to ascertain and report the number of clerks necessary to conduct the business of the Senate.

The President appointed Senators Martin, Fields and Matthews to act with a like committee from the House to wait upon the Governor and inform him that the Senate is organized and ready to receive any communications he may desire to submit.

On motion of Senator Farris, the Senate took a recess till 2:30 p. m.

Senate called to order at 2:30.

Senator Clarke introduced Senate bill No. 3, entitled

An act to create an additional division in and for the circuit court of the 16th judicial circuit at Kansas City, Jackson county, for the appointment and election of an additional judge of said circuit court, to increase

the salaries of the judges of said court and of the criminal judges of said county, and to empower the judges of said circuit court, etc.;

Read first time and 150 copies ordered printed.

On motion of Senator Walker, Senate adjourned till 10 tomorrow.

### THIRD DAY— Friday, January 4, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The roll of Senators was called and the following answered to their

names :

#### Present—Senators

|           |           |                     |            |
|-----------|-----------|---------------------|------------|
| Biggs,    | Drabelle, | Martin (of Saline), | Smith,     |
| Bradley,  | Farris,   | Matthews,           | Stubbs,    |
| Clarke,   | Fields,   | Morton,             | Sullivan,  |
| Clay,     | Haynes,   | Orchard,            | Tandy,     |
| Collins,  | Heather,  | Ramp,               | Thomas,    |
| Cooper,   | Jewell,   | Rollins,            | Walker,    |
| Costello, | Lee,      | Rubey,              | Whaley,    |
| Davison,  | Marshall, | Schoenlaub,         | Zevely—33. |
| Dowell,   |           |                     |            |

Sick—Senator Martin (St. Louis)—1.

The journal of yesterday was read and approved.

The following communication from the House of Representatives was received through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House to inform the Senate that the House is now fully organized by the election of the following officers:

Jas. H. Whitecotton, Speaker.  
 Joel F. Short, Speaker pro tem.  
 Jos. S. Tall, Chief Clerk.  
 John T. Byrne, Assistant Chief Clerk.  
 L. H. Musgrove, Engrossing Clerk.  
 Haywood Scott, Enrolling Clerk.  
 Wm. M. Smith, Official Reporter.  
 E. M. Bass, Sergeant-at-Arms.  
 R. S. Thomas, Door-keeper.  
 Claude E. Hill, Chaplain.  
 Miss Ida Bridwell, Folder.

And that the House is now ready to proceed to open and canvass and publish the returns of the late election for State officers in compliance with article V, section 3 of the Constitution of the State of Missouri; and the Senate is respectfully invited to meet the House at once for the purpose of opening, canvassing and publishing the said returns.

JOS. S. TALL,  
 Chief Clerk.

Which was read, and

On motion of Senator Haynes, the Senate proceeded in a body to the House in accordance with the request of the House.

On returning from the hall of the House of Representatives, the Senate was called to order by President pro tem., Farris.

The following communication from the House of Representatives was received through its Chief Clerk, Mr. Tall, and read:

Mr. President: I am instructed by the House to inform the Senate that Messrs. Ward, Dickinson and Aydelott have been appointed a committee to act in conjunction with a similar committee of the Senate to inform the Governor that the Senate and House of Representatives of the Forty-first General Assembly have been duly organized and are ready to receive any message or communication His Excellency may desire to submit.

JOS. S. TALL,  
 Chief Clerk.

Senator Rubey offered the following resolution:

Resolved, That a committee of five be appointed to act with a similar committee of the House to make arrangements for the inauguration of the Governor.

Which was read and adopted.

Senator Rollins introduced Senate bill No. 4, entitled

An act to amend chapter 91, article 33 of the Revised Statutes of 1899 by adding a new section thereto, to be known as section 6555a;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 5, entitled

An act to amend chapter 91, article 23, section 6554 of the Revised Statutes of 1899, entitled "Jurors, how drawn:"

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 6, entitled

An act to authorize the imposition of a franchise tax on corporations doing business in Missouri;

Read first time and 300 copies ordered printed.

Senator Orchard introduced Senate bill No. 7, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899 of the State of Missouri, by adding two new sections thereto, to be numbered sections 9136a and 9136b;

Read first time and 150 copies ordered printed.

Senator Marshall introduced Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899 of the revenue law, entitled "Collectors' commissions;"

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants; making agreements between attorney and client a lien upon the cause of action;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 10, entitled

An act to prevent unscrupulous non-residents from practicing medicine by proxy in this State by giving the State Board of Health power to revoke certificate of such persons by adding a new section to chapter 128, Revised Statutes of 1899, to be known as section 8514a;

Read first time and 150 copies ordered printed.

The following message from the Governor was received through his Private Secretary, Mr. Moore, and read:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT,  
JEFFERSON CITY, January 4, 1901. }

Gentlemen of the Forty-First General Assembly:

The administration of which I have been a part, having now reached its close, it becomes my duty and pleasant privilege, to submit, as briefly as possible, by direction of the Constitution of the State, for your consideration, a summary of the material facts in the history and operation of the various departments of the State, accompanied by such recommendations as may seem pertinent to the well-being of the public, and the honor and prosperity of the Commonwealth.

I desire to extend to each of you a sincere and affectionate welcome to the scenes of your labors. We have met under most favorable auspices. But few, if any, of the States in the Union are prospering to a greater extent. No State has a brighter future, and offers greater inducements to men of brain, heart and capital. Our great Commonwealth is filled with a larger population than belonged to our whole country when our fathers won national independence, and we can look back over the seventy-nine years of statehood and see the humble industries of the pioneers grown to the many diversified industries which have made Missouri the eighth State in wealth, as we are fifth in population and in political power

in our great Union, with the future yet full of greater promise and reward.

We review four years of plenty, as mine and forest and pasture, field and orchard have liberally responded to intelligent labor. We have been graciously preserved from famine and pestilence, from fire, flood and tornado. Our own, in common with our sister States, has largely shared in the bounties of nature which have marked this period. Our churches and schools have multiplied with the expanding population. The heart of the youth of our State has shown itself sound and true to the aims and purposes of our national life, when a most righteous and chivalrous war was waged in behalf of an oppressed people, and which war was carried forward to a swift and noble triumph. Our common inheritance in the universal bounties of nature, made up of air and light, rain and sunshine, smiling fields, flowing streams and richly stored mines, has not failed us.

That the citizens of Missouri have within the past years given to the cause of education amounts of such magnitude as to excite the attention of the world, is also cause sufficient to thrill the hearts of all our people. We have every reason for being grateful and happy, and none for being discouraged or depressed.

## FINANCES.

### CASH BALANCES.

On December 31, 1896, we had cash balances in the State Treasury of \$577,463.65, as follows:

| Funds.                                   | Balance<br>Dec. 31,<br>1896. |
|--|------------------------------|
| State Revenue Fund.....                  | \$122,517 10                 |
| State Sinking Fund.....                  | 106,997 49                   |
| State School Fund.....                   | 1,538 77                     |
| State Seminary Fund.....                 | 1,298 91                     |
| State School Moneys.....                 | 186,109 20                   |
| State Seminary Moneys.....               | 34,565 10                    |
| Insurance Department Fund.....           | 41,723 48                    |
| Executors' and Administrators' Fund..... | 36,661 80                    |
| Earnings Missouri Penitentiary.....      | 1,722 92                     |
| Road and Canal Fund.....                 | 3,274 71                     |
| Colored Institute Fund.....              | 24 92                        |
| Lunatic Asylum No. 1 Fund.....           | 8,607 32                     |
| Lunatic Asylum No. 2 Fund.....           | 12,473 29                    |
| Lunatic Asylum No. 3 Fund.....           | 6,556 05                     |
| School for Deaf and Dumb Fund.....       | 183 85                       |
| Reform School for Boys Fund.....         | 5,518 33                     |
| Industrial Home for Girls Fund.....      | 6 46                         |
| Partition Fund.....                      | 4,606 90                     |
| County Foreign Insurance Tax Fund.....   | 919 12                       |
| State Bank Inspection Fund.....          | 321 47                       |
| Building and Loan Supervision Fund.....  | 1,835 86                     |
| Total.....                               | \$577,463 05                 |

The total receipts into the Treasury from December 31, 1896, to January 1, 1901, were \$24,618,881.65; the total disbursements in the same time were \$24,117,413.17; leaving balances in the various funds in the Treasury, January 1, 1901, as follows:

| Funds.                                  | Balance<br>Jan. 1, 1901. |
|---|--------------------------|
| State Revenue Fund.....                 | \$179,222 19             |
| State Sinking Fund.....                 | 217,323 45               |
| State School Fund.....                  | 973 40                   |
| State Seminary Fund.....                | 2,482 06                 |
| State School Moneys.....                | 186,990 00               |
| State Seminary Moneys.....              | 39,482 46                |
| Insurance Department Fund.....          | 50,504 96                |
| Earnings Missouri Penitentiary.....     | 80,400 36                |
| Road and Canal Fund.....                | 854 68                   |
| Swamp Land Indemnity Fund.....          | 2,325 45                 |
| Colored Institute Fund.....             | 87 10                    |
| Lunatic Asylum No. 1 Fund.....          | 8,041 60                 |
| Lunatic Asylum No. 2 Fund.....          | 9,389 40                 |
| Lunatic Asylum No. 3 Fund. ..           | 5,096 23                 |
| School for Deaf and Dumb Fund.....      | 378 49                   |
| Reform School for Boys Fund.....        | 3,287 51                 |
| County Foreign Insurance Tax Fund.....  | 258,258 57               |
| State Bank Inspection Fund.....         | 5,905 43                 |
| Building and Loan Supervision Fund..... | 2,647 51                 |
| Federal Soldiers' Home.....             | 934 62                   |
| State Fair Fund.....                    | 495 00                   |
| Escheats Fund.....                      | 23,851 06                |
| Total.....                              | \$1,078,931 53           |

Our finances continue in a most healthy condition. It will be noted that there is in the "Sinking Fund" \$217,323.45, which can be used for the payment of bonds alone, and I recommend that an appropriation of \$200,000 be made as early as possible for the extinguishment of a like amount of our outstanding interest-bearing bonds.

The books of the State Treasurer show that during the present administration \$77,240.54 has been collected from the State depositories in interest upon daily balances, which has been placed in the Revenue Fund. This amount is more than enough to pay all the expenses of the office of the State Treasurer during the last eight years.

State revenues are derived from a tax of twenty-five cents on the \$100 valuation, levied upon real and personal property, of individuals and corporations, from license taxes, tax on premiums received from foreign insurance companies, on merchants and manufacturers, and express companies, interest on balances with our State depositories, an incorporation tax, notarial fees, and from sundry minor sources.

The estimated receipts for 1901 and 1902 will not vary greatly from receipts during 1899 and 1900. The approximated amounts required to

meet ordinary expenses of the State Government for the next two years will be about \$4,750,000. The Auditor's Annual Report will give requirements in detail.

## STATE BONDED INDEBTEDNESS.

On January 1, 1897, when I entered upon the duties of my office, the bonded indebtedness of the State was as follows:

|  |                |
|--|----------------|
| Nine hundred and twenty-seven 3½ per cent. option bonds, dated March 1, 1887, due March 1, 1890, redeemable after March 1, 1892.....                     | \$927,000 00   |
| Four hundred and thirty-six 3½ per cent. option bonds, dated July 1, 1887, due July 1, 1907, and redeemable after July 1, 1892.....                      | 436,000 00     |
| Seven hundred 3½ option bonds, dated October 1, 1887, due October 1, 1907, redeemable after October 1, 1892.....   | 700,000 00     |
| Two thousand, nine hundred and thirty-seven 3½ per cent. option bonds, dated January 1, 1888, due January 1, 1908, redeemable after January 1, 1893..... | 2,937,000 00   |
| Total bonds, drawing 3½ per cent. interest.....  | \$5,000,000 00 |

Under the requirements of the State Constitution, \$250,000 at least of the principal of our interest-bearing bonds are to be extinguished annually. During 1897 and 1898, the first two years of the present administration, the bonded debt was reduced \$1,358,000. During 1899 and 1900, the last two years of the present administration the bonded indebtedness was reduced \$1,755,000. The total reduction being \$3,113,000, which means a saving to the State of \$108,955 annually in interest charges alone. This leaves the bonded debt outstanding January 1, 1901, \$1,887,000, drawing three and one-half per cent. interest, payable at the option of the State.

It will be observed that \$2,113,000 more of our bonds have been redeemed during this administration than were required by the State Constitution.

In my biennial message to the Fortieth General Assembly, under date of January 5, 1899, referring to the bonded indebtedness, I said: "The real debt of the State is, therefore, insignificant, in proportion to our assessed valuation, and while it may not be entirely extinguished during the present administration, I see no reason why it can not be paid off within the early days of the succeeding one."

I see no reason now to change my view then expressed, and confidently believe every dollar of our interest-bearing bonded indebtedness will be paid off by January 1, 1903.

## CERTIFICATES OF INDEBTEDNESS.

Besides our bonded indebtedness, which amounts to \$1,887,000, and draws three and one-half per cent. interest, payable semi-annually, we have outstanding "Certificates of Indebtedness" belonging to our "School Fund," amounting to \$3,158,000—of which, \$2,909,000 draw six per cent. interest, and the balance five per cent. interest; and \$1,235,839.42 "Certificates of Indebtedness," belonging to the "Seminary Fund," drawing mostly 5 per cent. interest—making the total State debt at this time \$6,280,839.42, as compared with \$9,369,839.42, January 1, 1897—being a net reduction of \$3,089,000. While as stated before, the

bonded debt has been reduced \$3,113,000, the Certificates of Indebtedness have been increased \$24,000.

Much has been said and written in the heat and excitement during the late political campaign concerning these "Certificates of Indebtedness," by unfriendly speakers and editors, with which you are familiar. But the fact remains that our School and Seminary Funds are *intact*, legally and properly invested, and they should not be interfered with. The transactions resulting in the sale of United States bonds, which formerly constituted these funds, and the investment of their proceeds in our own securities, are in accordance with the Constitution of Missouri, and show excellent judgment on the part of all interested, and assure us of the best possible interest returns, and the prompt payment of the principal, whenever same is desired.

### PENITENTIARY.

Never before in its history, has the Penitentiary been so successfully managed as during the last four years by Warden J. D. Starke. This is admitted by all who have given the subject any attention whatever. The Legislature of 1897 appropriated for it for the biennial period ending January 1, 1899, the following sums of money:

|   |             |
|---|-------------|
| For completion of new cell building.....                  | \$50,000 00 |
| For erection of new shop building.....                    | 30,000 00   |
| For purchase of new dynamo.....                           | 5,000 00    |
| For purchase of books for library.....                    | 1,000 00    |
| For pay of salaries of officers and ordinary repairs..... | 80,000 00   |

Of the \$50,000 appropriated for completion of the new cell building, only \$29,545.18 was found needed and expended, and \$20,454.82 was left in the State Treasury.

Of the \$30,000 appropriated for the erection of the new shop building, \$26,159.82 was expended, and \$3,840.18 remained in the State Treasury.

The appropriation of \$1,000 for the purchase of books for the library was exhausted.

Of the appropriation of \$80,000 for salaries and ordinary repairs, \$19,562.45 was expended for repairs, and \$43,476.71 for salaries, making a total amount of \$63,089.13 drawn from this appropriation.

January 1, 1899, there was a balance in the State Treasury to the credit of Earnings \$56,555.45. The Legislature of 1899 appropriated \$80,000 for salaries and repairs, \$1,500 for lighting State buildings and grounds, \$1,500 for the erection of a fire-proof vault, and \$500.00 to be paid out of the earnings, for the support of the institution.

Seven thousand four hundred and fifty dollars were drawn from the appropriation of \$80,000 to pay salaries for the month of December, 1900, and \$72,550 remains in the State Treasury.

There was a balance in the earnings January 1, 1901, of something over \$83,000. From this amount deduct the expenses for the month of December, 1900, \$11,000, and \$7,450 pay roll for December, drawn from the appropriation for salaries and repairs, and there remains a balance of \$64,550. From these figures it will be noted that the Penitentiary has paid all expenses for 1899 and 1900, and has a balance in ex-

cess of amount on hand January 1, 1897, of \$7,995. From this deduct \$1,452.28, expended for lighting State buildings and grounds, and \$1,424.72, expended for erection of fire-proof vault, and there still remains a balance of \$5,119.

The Penitentiary has not cost the taxpayers of the State one cent for anything during the last two years, and has made a net gain of \$5,119.

This record is unprecedented in the history of the institution, and has been made notwithstanding the fact that by reason of advance in prices of all supplies used, the expense has been increased over \$50,000 during the years 1899 and 1900. Fuel and meat alone cost \$40,000 more in 1899 and 1900 than in 1897 and 1898. Stripes have advanced 25 per cent., glass 75 per cent., nails 50 per cent., lumber 33 per cent., steam fitter's supplies 100 per cent., steel 75 per cent., iron 50 per cent., and all other supplies have advanced in proportion, because of the growth of trusts and the lack of competition.

A new cell building for the female convicts is absolutely necessary and should not be longer delayed. Fifty thousand dollars will be asked for and should be appropriated for this purpose. A new hospital should also be erected at the earliest possible moment.

Today, December 24, 1900, there are confined in the Penitentiary 2,081 prisoners, of whom 2,012 are males, and 69 are females. The records show there were 2,226 prisoners in January, 1897. I account for the falling off, because (1) of the parole law enacted by the last Legislature; and because (2) of the prevalence of small-pox in many portions of the State, necessitating a strict quarantine at the Penitentiary and the refusal on the part of the Warden to accept at present new prisoners; and because (3) many of the younger criminals are being sent to the Reform School for Boys at Boonville, Missouri.

Fifteen hundred and fourteen of the male convicts are being worked by the contractors, at fifty cents per day, from which source the State receives daily \$757. Twenty-five of the females are employed at thirty cents each per day. Of the remainder, many are at work at the prison, a few are in the hospital, while some are incapacitated because of lameness and infirmities of various descriptions. It is seldom any are idle for any great length of time.

## DEPARTMENTS OF STATE.

### THE STATE INSURANCE DEPARTMENT.

At the opening of my administration in January, 1897, the State Insurance Department was located in the City of St. Louis. Believing that the business of this department and the interests of the people of the State would be better subserved by the removal of the department to the Permanent Seat of Government, on January 15, 1897, I sent a special message to the Thirty-ninth General Assembly advising and urging, among other matters, that this change of location should be made, and subsequently during the session the necessary legislation was effected and the department was removed to Jefferson City.

The experience of the officials charged with administration and performance of the business and work of the department since its location in the Capitol have fully established the propriety of the change. No public interest has suffered by the removal, and all the business of the

department, increasing and extending each year, has been attended to and discharged in the most prompt and careful manner.

Since its removal to Jefferson City, the people of the State generally have come into much closer communication with this office as is fully shown by the fact that the correspondence of the department with the citizens of the several counties and smaller towns has far more than doubled, and the department has been able to render very efficient and useful service to hundreds of people who, so long as it was located in St. Louis, had never thought of making complaints to or inquiries of the office about insurance matters.

Since the beginning of the year 1897, the jurisdiction and authority of the State Insurance Department has been enlarged and extended by legislative enactment so as to include both "Fraternal Beneficiary Associations" and "Town Mutual Fire Insurance Companies." These two classes of insurance organizations have added largely to the work as well to the responsibilities of the department, and have at times taxed the ability of the present official and clerical force of the office to the utmost in order to properly discharge and perform their duties with that promptness and care which should mark the discharge of all public trusts.

The development of this department and the increase in the amount of work done in the office, at an actual decrease of expense, and the very great increase in the receipts of the department, which are all paid into the State Treasury, can be best illustrated and shown by a few tables of figures giving such exhibits. The amount realized to the State from the two per cent. tax on gross premiums collected in Missouri by foreign insurance companies for the years 1895, 1896, and 1897 was \$653,393.95. This tax returned for the years 1898, 1899 and 1900, \$750,071.40, being an increase in the amount of these taxes paid into the State Treasury in the last three years over the prior period of three years amounting to \$96,677.45.

The sum total of the official fees collected from the several insurance companies doing business in the State during the years 1895, 1896, and 1897 was \$88,204.49, and the amount of similar fees collected during the years 1898, 1899, and 1900 is \$123,144.02, showing an increase of fees collected amounting to \$34,939.53. The total expenditures of the department during the years 1895, 1896, and 1897 was, including salaries, \$50,146.43. During the years 1898, 1899, and 1900, the total expense of the department has been \$48,301.09. Showing a decrease of expenditures amounting to \$1,845.34.

In the last Annual Report of the Insurance Department, submitted on May 1, 1900, Superintendent Orear makes the following statement:

"The work of the department has now become so onerous that it will be impossible for the present force to properly perform and discharge it. An increase of the force is absolutely necessary, and I therefore recommend and urge that provision be made for the employment of one experienced clerk and accountant and skilled statistician, and one additional stenographer, the salaries of these two employees to be paid as other clerks of the office out of the receipts of the department."

I cordially indorse this recommendation for an increase in the force of this department and believe it is necessary for the proper and efficient dispatch of public business.

## BUREAU OF LABOR.

Hon. Thomas P. Rixey was appointed as Commissioner of Labor to succeed Hon. Arthur Rozelle, whose term expired on the first Wednesday in February, 1899.

Since the adjournment of the Fortieth General Assembly, the Twenty-first and Twenty-second Annual Reports of the Bureau of Labor Statistics and Inspection have been published to the number of 3,500 copies for each year. During 1899 and also the past year the Bureau published an elaborate map showing the character, amount and current value of the commodities marketed during the preceding year by each of the counties of the State.

The Bureau's Twenty-first Report, for the year 1899, contained chapters devoted to manufactures, prison factories, proposed remedy for competition of prison labor, wage schedules of prominent industries, free employment offices, strikes and lockouts, digest of Missouri Labor Laws and numerous judicial decisions affecting labor, and a series of measures suggested for remedial legislation.

The Twenty-second Report, besides considering most of the foregoing subjects, presents a series of able papers on the subject of manual training and industrial education, and devotes chapters to our State institutions, "script" payment of wages and a resume of the St. Louis street railway strike, the latter subject being supplemented with an earnest appeal for the enactment of a comprehensive arbitration law.

The operation of the free employment offices established by the Bureau in St. Louis and Kansas City, in obedience to enactment by the Fortieth General Assembly, has resulted in finding employment, during the year ending October 1, for 6,186 deserving persons who thus became self-supporting. The law under which these employment offices operate provides for their location in all cities of the State having 100,000 inhabitants, and as the report of the twelfth census shows that St. Joseph has a population in excess of that number, that city is entitled under said law to a free employment office—for which adequate provision should be made.

The reports of the Labor Bureau have repeatedly called attention to the necessity for more stringent and general factory inspection, and the providing of means for encouraging immigration, which subjects are worthy of earnest consideration. The Bureau reports for the past several years have devoted attention to the Government lands remaining within this State and have disseminated much information relating thereto. During the year ending June 30, 1900, about 107,000 acres of these lands were taken up, thus increasing our population and taxable wealth. The settlement of the thousands of acres of vacant lands yet available for homes in Missouri is of sufficient importance to warrant a reasonable appropriation to enable the Immigration Board to become operative. The attention which the World's Fair will direct toward Missouri could thus be profitably utilized.

## BUREAU OF BUILDING AND LOAN.

The condition of the Building and Loan associations of the State indicates that about all the associations now doing business are in a prosperous condition. Since the establishment of the Bureau of Supervision much has been done to correct disreputable and illegal methods in the pro-

motion of the business. The number of associations has been considerably reduced, but as many of them had been conducted wholly in the interests of the officials, with little or no consideration for the stockholders, their elimination is a public benefit.

The report on all the associations in the State, numbering 175, made August 31, 1900, indicates but one insolvent; seventeen have retired by liquidation, one by assignment, two associations have organized and three reorganized since the Supervisor's last report. The surplus of money in the country which has created a low rate of interest has somewhat militated against Building and Loan business, but those interested have gradually adjusted themselves to present conditions; therefore the business outlook is fairly encouraging. For the year ending August 31, 1900, the resources of all the associations in the State have fallen off \$2,387,422.10 as against \$4,419,369.10 in 1899. There is a weakness in the law relating to Building and Loan supervision in that it is not clear just what the Supervisor's powers are with reference to insolvent companies. Considerable litigation has been caused by officers forcing an assignment when it became apparent that their affairs were in such condition as would necessitate the Supervisor calling for a receiver. In a number of instances the officers who, through excessive expense and careless business methods, have wrecked their associations, made an assignment and had some one of their number appointed as assignee. This is no relief to the stockholder as the same persons continue the management and draw fat salaries without, in the least, considering the interests of those they are supposed to protect. I would suggest legislative enactment placing insolvent associations in the hands of the Supervisor for final liquidation—a law similar to that governing insolvent insurance companies and banks. He should be allowed the necessary expense for clerical help and such other expense actually incurred in winding up its affairs.

It becomes my painful duty in this connection to announce the death of the former Supervisor of Building and Loan Associations, Hon. Henry L. Gray, which occurred in Jefferson City, June 26, 1900. Mr. Gray was a master of the subject, and was always thorough and fearless in the discharge of his duties. He was honest and courageous, and had the good-will and the confidence of the people of Missouri, his native State, who were deeply grieved at his death.

In his place Hon. W. R. Baskett of Paris, Missouri, was named by me. I feel that no better man could have been found. For several years he was associated with Mr. Gray in the Building and Loan Department, and is recognized as one of the best qualified men in the State for this peculiarly intricate work.

#### STATE BOARD OF HEALTH.

The State Board of Health has registered during the past season 1,000 physicians, granted certificates to 30 who have taken the examination of the Board, and issued certificates to 25 midwives.

The State prison has been quarantined because of the general prevalence of smallpox throughout the State. While the quarantine was modified slightly at the April, 1900, meeting of the Board, they thought that after January 3, 1901, it would be best to again close the prison until May 1, or such time as there would be no danger from infecting the prisoners. If necessary funds were placed in the hands of the Board it is believed that smallpox could be eradicated in six months, or less, but as it is, the disease is spreading all over the State, and along the lines of travel. Those coun-

ties that are unprovided with railroad facilities are scarcely affected at all, unless there is a lumber or mining camp in them.

Four years ago the Board asked for \$10,000 as an emergency appropriation to take care of this epidemic; and two years ago they made the same request. I heartily recommend that you appropriate to the use of the State Board of Health a sufficient sum of money as an emergency fund, to destroy this epidemic. This will enable the Board to personally manage the cases of smallpox, and to reimburse the unfortunate poor whose beds and clothing are destroyed in the process of fumigation. In my judgment to refuse appropriation now of amount recommended by the Board would be positive crime.

#### STATE BOARD OF AGRICULTURE.

Your attention is called to the magnitude and importance of the work assigned to the State Board of Agriculture and the necessity for liberal appropriations for developing the agricultural resources of the State and stimulating live stock husbandry.

This Board is charged with formulating and with the enforcement of live stock quarantine regulations, with the enforcement of anti-butterine laws, the collection of agricultural statistics, the holding of farmer's institutes for the dissemination of agricultural information, and the management of the State Fair, while in other states these several matters are directed each by a separate and distinct board and at an aggregate cost largely in excess of appropriations made for similar purposes in this State.

During my administration the work of the Board has been directed with much energy and the results have been satisfactory. Southern cattle quarantine regulations have been so effectively enforced as to protect the cattle industry of this State and at the same time under a system of cattle inspection permitting the freest possible movement of cattle from scheduled territory. Upon inspection many thousands of southern cattle have been admitted annually to the feed lots and pastures of Missouri farmers for the profitable consumption of the products of their fields, and so thoroughly and efficiently has this work been done that not a single outbreak of Southern fever has occurred from inspected cattle. The State line has been protected against the illegal introduction of Southern cattle to the extent of funds available for that purpose. The high character of the work done in this direction has been recognized by the United States Department of Agriculture in making the Missouri line the boundary of scheduled territory, to the relief of a number of Missouri counties heretofore included in permanently affected territory; in recognizing State permits for the introduction of Southern cattle and in co-operating with Missouri authorities to prevent violation of quarantine regulations.

Valuable experiments conducted by the Board in co-operation with the Agricultural College Experiment Station have demonstrated the means of communicating Southern cattle fever and a successful method of inoculating native cattle against this disease, whereby Missouri's improved herds may be rendered immune and may be transported to infested territory, covering about one-third of the United States, with comparative safety, and where a market is opened to them at largely advanced prices. These experiments have been conducted with such care and ability as to command the confidence of cattle producers throughout the world and the bulletins issued are regarded as authority.

Violations of the Anti-Butterine Act prohibiting the sale of deceitful

imitation butter compounds have been vigorously prosecuted in the lower courts, two appeals have been taken to the Supreme Court and in one instance to the Federal Court, and in each case the Missouri law was upheld and every contention of the Board sustained.

As a result of the earnest efforts of the Board in the enforcement of this law the average number of retail license for the sale of oleo issued annually by the Government has been reduced from six hundred and seventy-four to one hundred and ten and while the number of wholesale licenses averaged annually fourteen prior to the enactment of the law, in 1897 there was none, 1898, two, 1899 and 1900, one each, and these were either complying with the Anti-Butterine Act or have been prosecuted.

Farmers' institutes, schools in agriculture to the farmer and the farmers' sons have been held each season, in localities distributed well over the State. At these meetings farmers are given the results of the latest research and the conclusions reached. From these have come the more abundant use of leguminous plants as soil builders and better care of soil fertility, the promotion of the dairy industry, a better understanding of problems relating to the development and maturing of live stock, and a knowledge of live stock sanitation, how to control contagious diseases and avoid disease-breeding conditions. Road improvement sentiment has been stimulated and a demand for agricultural education in the common school developed to which satisfactory answer must be made in the near future.

Under the auspices of this Board live stock and industrial associations have been organized, representing the various agricultural interest of the State and are now associated together in annual meetings, all giving their best thought to the development of the State's material resources, to the upbuilding of her homes and the elevation of her citizenship.

The publications of the Board are replete with valuable information to the farmer, the live stock breeder and others interested in agricultural pursuits and crop statistics. Special bulletins reviewing the resources of the State, its varied industries, the advantages offered to the investment of capital and to the intelligent homeseeker, have directed the attention of others to Missouri, and stimulated a loyalty to the State's interest at home. These publications are in such demand from Missouri and elsewhere as to exhaust the limited edition possible under previous appropriations in a few days after issue and before the demand is satisfied.

#### MINES AND MINE INSPECTION.

The Bureau of Mines and Mine Inspection has been in existence for nearly two years and the wisdom of its creation has become more and more apparent as time develops its usefulness. The rapid growth of our mining industries attracted my attention and so impressed me with its possibilities for a still larger growth, that the determination was formed to foster and encourage such further development of our mineral resources as the situation and our opportunities would warrant. With this object in view, and convinced that the industry had outgrown the law and the provisions formerly made for its supervision, I recommended the Fortieth General Assembly, that it separate Mine Inspection from the Bureau of Labor, and that a new department be created to be known as "the Bureau of Mines and Mine Inspection." The large and ever-increasing number of men employed in this extra hazardous character of work, it occurred to me, demanded above all other lines of business,—practical supervision, and as practical results were sought to be attained rather than the devel-

opment of theories, it was concluded that practical mine men only should have control of this work.

The following comparative table has been prepared for your information, in which will be found the product of our coal, lead and zinc mines, and the value of the same for each of the past eight years:

COAL, LEAD AND ZINC PRODUCT AND VALUES FOR THE PAST EIGHT YEARS.

Comparison of the years 1893, 1894, 1895 and 1896 with the four years ending with 1900.

| Year.      | Tons of coal mined..... | Amount rec'd for coal at mines... | Tons of zinc ore. | Tons of lead ore mined..... | Amount rec'd for lead and zinc ores..... | Total amount received for coal, lead and zinc... |
|------------|-------------------------|-----------------------------------|-------------------|-----------------------------|--|--|
| 1893.....  | 3,190,442               | \$3,999,681                       | 108,591           | 40,297                      | \$3,830,597                              | \$7,830,278                                      |
| 1894.....  | 2,383,322               | 3,013,075                         | 89,150            | 52,003                      | 3,287,478                                | 6,300,553  |
| 1895.....  | 2,283,081               | 2,675,690                         | 101,294           | 61,618                      | 3,560,066                                | 6,235,756  |
| 1896.....  | 2,420,147               | 2,741,711                         | 92,754            | 65,504                      | 3,819,012                                | 6,560,723  |
| Total..... | 10,276,992              | \$12,430,159                      | 391,789           | 219,422                     | \$14,497,153                             | \$26,927,310                                     |

|            |            |              |         |         |              |              |
|------------|------------|--------------|---------|---------|--------------|--------------|
| 1897.....  | 2,429,388  | \$2,684,753  | 93,148  | 67,404  | \$3,569,070  | \$6,253,823  |
| 1898.....  | 2,838,152  | 3,148,862    | 130,668 | 73,687  | 5,938,376    | 9,087,238    |
| 1899.....  | 3,191,811  | 3,582,111    | 181,430 | 70,829  | 9,120,861    | 12,702,972   |
| 1900.....  | 2,995,022  | 3,643,975    | 186,296 | 80,478  | 9,437,833    | 13,081,808   |
| Total..... | 11,454,373 | \$13,059,701 | 600,542 | 292,398 | \$28,066,140 | \$41,125,841 |

Increase in tonnage and values for 1897, 1898, 1899 and 1900 over the former four years.

|                           |           |           |         |        |              |              |
|---------------------------|-----------|-----------|---------|--------|--------------|--------------|
| Amount of increase.....   | 1,177,381 | \$629,542 | 208,753 | 72,976 | \$13,568,987 | \$14,198,521 |
| Percentage of increase... | 11.45     | 5.06      | 53.28   | 33.25  | 93.60        | 52.73        |

The last four years, as it will be observed, show a phenomenal increase in the product of our mines, and words can not improve the showing made by the above figures. It is most gratifying, however, to point to such evidence of our growth, as it is not only a tribute to the limitless resources of our State, but also to her citizens, demonstrating as it does our ability to meet the demands of the times as well as to lead in the supply of some of the great commodities of the nation.

The increase of our zinc product of 53.28 per cent., our lead product with 33.25 per cent., and an increase in the value of the two metals or ores of 93.60 per cent., is to say the least most remarkable and gratifying. The total value of the two ores for the first four years was \$14,497,153, while for the last four years the value reached \$28,066,140. For the fiscal year 1896, the product of our coal, lead and zinc mines was worth \$6,560,723, and for the fiscal year 1900, the product sold for \$13,081,808.

While our coal trade shows an increase, yet it does not keep pace with lead and zinc. We are surrounded on every side by sister States possessing extra fine coal fields and our product is largely consumed at

home. There are, however, several features connected with our coal mines affording us pleasure to refer to—the absence of anything like riot, bloodshed or an open defiance of the laws is most creditable. Strikes among the lead and zinc miners are infrequent, but quite frequent in the coal fields; but in our State no very serious strikes have occurred, with the exception of one growing out of troubles which did not originate in our borders, but due to sympathy for fellow miners at work in other States for companies also operating in this State. These miners prefer not to call this a strike but a suspension of work and have witnessed their places filled with colored miners from other States without causing the least trouble; this speaks volumes for the law-abiding character of our miners. Another feature connected with our coal mines is worthy attention—that is the decrease in fatal accidents for the past four years, of 40 per cent. This character of management and supervision of our mines is of itself worth all the money the State pays for mine inspection. In our lead and zinc mines fatal accidents have increased, but it should not be forgotten that many new and inexperienced men have been attracted to our lead and zinc mines on account of their wonderful activity.

During the past year coal was mined in thirty-six counties and lead and zinc in twenty-one counties. There was a total of 1,453 shafts operated, in which 13,289 miners worked; the out-side men and mill men numbered 4,758, with 1,613 men prospecting—making a total of 19,660 men. Allowing each man to represent a family of but four persons, we have a population supported by our mines amounting to 78,640 souls.

The mine inspectors, as it will be seen from the above, have an immense amount of work to attend to, too much for only two men in the field, they will need the enactment of laws that will only give them needed assistance, but that will require the operators to promptly and satisfactorily answer all questions asked for in gathering statistics.

Our mine inspectors have performed their duty faithfully and well, and any recommendations they make are worthy of favorable consideration at your hands.

#### STATE BOARD OF CHARITIES.

The State Board of Charities and Corrections was created by an act passed on the 17th of March, 1897. No work of any Legislature in recent years has so strengthened the confidence of the people in our Charitable and Eleemosynary institutions as the creation of this Board. An impression prevailed in the minds of many people that the afflicted of our State were not receiving such humane treatment as they deserved. In most cases these impressions were without foundation, but the creation of this Board, whose mission is to look specially after these humane features, has succeeded in banishing such impressions. All of our larger institutions have been inspected repeatedly from garret to cellar, and at such times when least expected. Food, clothing, bedding, etc., have all passed under the vigilant eyes of this Board, and whenever there was the slightest evidence of neglect or mistreatment my attention has been directed to it.

The creation of the Board has not only inspired confidence in the minds of the people at large, but has also had a decidedly wholesome influence upon the institutions coming under its supervision. It has emphasized the thought that these institutions are for the afflicted, and not for employes. This Board has also examined the books of these various institutions, and wherever prodigal expenditures have been found attention has been called to them.

The exposures of this Board of the poorhouses of the State have produced many very desirable changes in these institutions. Large numbers of the insane, have been taken from these poorhouses, and sent to our asylums where they can be properly cared for. On account of exposures made, a healthier public sentiment has been created, thereby demanding kinder treatment. A revolution in these institutions is being wrought out, which will eventuate in the amelioration of suffering, and redound to the honor of the State.

Through the influence of the Board of Charities and Corrections a law establishing a Colony for the Feeble Minded and Epileptics was enacted by the last Legislature. In my judgment this is to become one of our largest and most cherished institutions. The deportation of these unfortunates from our poorhouses will prove a moral and economic blessing to our State. Other measures looking to the betterment of the condition of our dependent wards are being evolved by this Board.

It is a matter of sincere regret that this Board has been crippled from its infancy by the insufficiency of its appropriation to carry on its work. The members of the Board give their services gratuitously to the State, and the secretary receives the meager salary of one thousand dollars per annum for his services. Only five hundred dollars a year have been appropriated to defray the expenses of the Board. The time has come in my judgment when the efficiency of the Board demands an appropriation of at least eight thousand dollars for the next biennial period. The secretary ought to have a salary of two thousand dollars a year, and the Board ought to have the same amount for expenses. Such an appropriation would enable the Board to open an office in the capitol, and thereby more successfully prosecute the work assigned it.

#### PAY ROLLS AND NUMBER OF INMATES OF MISSOURI INSTITUTIONS.

|  | Officers..... | Monthly Pay Roll..... | Employees..... | Monthly Pay Roll..... | Inmates.  |           |            |
|--|---------------|-----------------------|----------------|-----------------------|-----------|-----------|------------|
|  |               |                       |                |                       | Male..... | Female... | Total..... |
| Asylum No. 1, Fulton.....              | 7             | \$813 33              | 119            | \$2,955 20            | 486       | 375       | 861        |
| Asylum No. 2, St. Joseph.....          | 7             | 833 28                | 153            | 3,876 80              | 558       | 479       | 1,047      |
| Asylum No. 3, Nevada.....              | 6             | 700 00                | 97             | 2,425 00              | 400       | 323       | 723        |
| School for Blind, St. Louis.....       | 15            | 786 66                | 18             | 329 00                | 52        | 51        | 103        |
| School for Deaf and Dumb, Fulton.....  | 31            | 1,907 52              | 52             | 1,573 46              | 171       | 150       | 321        |
| Boys' Reform School, Boonville.....    | 37            | 1,933 33              | .....          | .....                 | 340       | .....     | 340        |
| Girls' Reform School, Chillicothe..... | 13            | 444 99                | .....          | .....                 | .....     | 81        | 81         |
| Federal Home, St. James.....           | 15            | 278 00                | .....          | .....                 | 79        | 23        | 102        |
| Confederate Home, Higginsville.....    | 16            | 276 00                | .....          | .....                 | 131       | 19        | 150        |
| Penitentiary.....                      | 26            | 2,404 10              | 93             | 4,930 00              | 2,005     | 70        | 2,085      |

#### NATIONAL GUARD OF MISSOURI.

The reorganization of the National Guard, made necessary in part by the Spanish-American war, has been completed, and an examination of the reports of the Adjutant-General and Brigade Commander discloses the present strength to be two thousand, seven hundred and sixty officers

and men. This force has been organized into four regiments of infantry of eight companies each, and one light battery of artillery, the whole constituting the First Brigade. Our laws wisely provide that the National Guard in time of peace shall not number more than three thousand men, inclusive of State Cadets, the desideratum being a small force thoroughly disciplined and equipped rather than a large one poorly trained and indifferently cared for. This policy has been strictly adhered to, and the present force, with a possible increase of one more company to the regiment will be ample to meet every emergency for which a militia force is maintained. It has been the policy in the reorganization to distribute the troops over the State as far as possible, and at present every section is represented. The First Regiment and the battery are stationed in the City of St. Louis, the Second Regiment has its companies scattered over various counties in the Southern portion of the State, with headquarters at Nevada, the Third Regiment is in Kansas City and the companies of the Fourth are stationed in eight counties in the Northern section of the State, with headquarters at St. Joseph. The headquarters of the entire brigade are at Butler. During July last the entire National Guard was assembled in brigade camp of instruction, and the efficient showing made was most gratifying. The percentage of attendance was phenomenally large, and the report of the inspecting officer demonstrates a degree of discipline and efficiency of which the State may well be proud. For the first time in our history our State troops rank second to those of no other State in point of efficiency. And it is but just to state that to the untiring, unselfish and patriotic interest and intelligent efforts of the officers and men who comprise its membership is due the credit for the splendid efficiency of the organization as at present constituted. Not only have they given their time unsparingly, but they have contributed of their own means more than was appropriated for military purposes by the last General Assembly. This should not be. Missouri should not longer court the distinction of doing less for her National Guard than any of her sister states of like wealth and importance. Upon the call to arms two years ago, the National Guard of Missouri responded to a man. They left home and occupation and served without complaint until the conclusion of peace returned them to the State whose honor had been given into their keeping. The sacrifices they made and the hardships they endured in fever stricken camps entitle them to the gratitude and consideration of a generous and appreciative people, and it is earnestly hoped that liberal and just provision will be made for our citizen soldiery at the present session.

#### GEOLOGICAL SURVEY OF MISSOURI.

In the treatment of the "Geological Survey of Missouri," I simply submit for your careful consideration the report in full, prepared especially for this message, by Mr. Leo Gallaher, the Acting Geologist. It is as follows:

In the spring of 1897 it was found that the Department quarters in the Capitol Building were too small to admit of the contemplated new arrangement of the collection and the carrying out of the new plans of the future survey work. More suitable quarters were kindly offered and at once accepted in the Armory Building. About three months were consumed in fitting up the new rooms (consisting of one room and a hallway on first floor and almost the entire space on the second floor), moving and rearranging the fixtures of the whole department. A great mass of

useless and irrelevant material had been accumulating for years. Part of this was given to the State University and the rest cleaned up and stored away to itself in the best order possible.

Before the change in the arrangement of the collection the specimens, as they came in, had been arranged in two groups; one for further study and the other for display in the cabinet. The plan of arrangement of the specimens in the cabinet then, was to classify the mineral from a mineralogical standpoint with reference to form and chemical constituents and the fossils from a biological standpoint. In that plan the geological association and structure of the specimens, probably the most important phase of all to the prospector, was almost entirely neglected.

In order to meet this deficiency another method of arrangement was added to the old one. In it the central idea was geological association and structure. All the great country rocks were, through representative specimens of each, chronologically arranged, beginning with the oldest or geologically deepest seated and then proceeding step by step to the youngest or geologically highest. With each of these great country rocks represented by specimens from its typical outcrops, as well as from outcrops showing important variations were shown all the various forms and structures of their associated formations or products. This arrangement fitted in perfectly with the plans for the regular basis of the survey work as illustrated by the preliminary report of recent date. The mineralogical and paleontological classification was not neglected but the system of geological association was simply added and duly emphasized.

When all this was completed little of the field season was left, but some field work was accomplished by the director and his assistant before the cold weather came.

In view of the fact that the rocks over half of the State had never been reliable and completely differentiated, classified and named, it was thought best to run a series of cross-sections from northwest to southeast across the State and publish the data in the form of cross-section maps and a report on the geological structure of the State. During the next two field seasons this work was diligently and faithfully pursued and data collected which was used in the recent Preliminary Report on Structural Geology of Missouri and will be used in other reports and maps yet to be published. Reports were distributed to all who asked for, and would appreciate them, and information given whenever solicited as promptly and accurately as possible. All specimens sent in for termination and analysis were attended to with as much facility as other duties would permit.

An intense interest in the mineral resources of Missouri has been aroused in the last four or five years. This is proven by the number of letters being received daily inquiring for specific information on various subjects. Most of them are from parties who have just recently become interested in Missouri property or who are anxious to invest. A surprisingly large number of reports of this department are asked for from parties outside the State. From citizens of the State letters are continually pouring into this office containing requests for reports, determinations and analysis of specimens, information on certain lines of investigation, or private surveys of particular tracts of land. All of these requests are promptly granted as far as possible and the interest they display is encouraged. This increasing interest in Missouri is gradually producing a stronger demand for opportunities of investment. A number of Eastern companies representing much wealth and experience are now casting about for land in which to invest.

## PUBLICATIONS.

In December, 1898, a report on Areal Geology, sheets 5 to 10, containing 656 pages, 3 plates, 39 figures, and 6 maps was gotten out in an 8 vo. cloth by E. M. Shepard, C. F. Marbut, and G. C. Broadhead and edited by C. F. Marbut. It is a series of chapters on the geology of the areas covered by sheets 5 to 10.

At the same time a Biennial Report of the State Geologist to the Fortieth General Assembly, 68 pages, was gotten out by Jno. A. Gallaher.

A New Year Announcement in form of a bulletin was published January, 1900, by Jno. A. Gallaher. It contained 27 pages and consisted of a discussion of the three great ore-bearing country rocks of Missouri also an article on the proposed core-drilling for which the last Legislature made a special appropriation.

In September, 1900, a preliminary report on the Structural Geology of Missouri, written by Jno. A. Gallaher and edited by D. K. Greger and Leo Gallaher, was published. It contains 260 pages, 64 plates, 9 sections and 6 figures, 8vo. cloth. This is a remarkably clear and lucid classification of the rocks of Missouri and forms a basis for all subsequent work. Had the necessity for such a work been realized years before much subsequent unnecessary work would not have been done. That this report is highly appreciated is shown by the file of letters expressing approval in the office of the Geological Department.

There is now ready for publication a Biennial Report of the State Geologist to the Forty-first General Assembly. Also several other reports are in course of preparation for publication this winter. Among them are: a Report on Magnesian Lens and its products, Results of Drilling, several county reports, and Synopsis of Invertebrate Fossils of the Missouri Paleozoic.

The last General Assembly made an appropriation for core drilling. Most of this money will have been used in this work or contracted for and several holes in different parts of the State with varying quantities of economic products shown up and a vast amount of information gained will be the result. The hole now being put down near Forest City in Holt county will be one of the deepest holes drilled with a core drill in this country. Even if no economic products were brought to light by these holes still the data being collected with great care would be absolutely reliable so far as it went and would furnish a standard with which the best reliable data from private drilling over the State could be compared and reasonable conclusions deduced.

A report on the results of this drilling is now in preparation and will furnish information which will strongly influence future prospecting.

During the last three years the work of differentiation, classification and naming of the rocks of Missouri has been completed as far as it is practicable to go until a topographic base of the whole State has been prepared, then an accurate and complete geological map can be made for the whole State and the first great stage of the Survey work will be practically finished.

Not only was the regular classification work pursued during that time, but also a vast amount of data on the deposits of economic importance was collected. Besides giving an opportunity for the collection of this information it also showed what places and areas were most in need of detail work and suggested the plans to be pursued in such work. In fact it formed the basis for all work to be done in the near future.

## FUTURE WORK.

The work for the future comes under two heads: first, continuation of work done the last few years, which can be continued on \$30,000, same amount as last appropriation; and second, much additional work of inestimable value, but which will require much more money. Following is a brief statement of importance, necessity, and approximate cost of each:

## FIRST.

This work includes the following items:

- (a) Investigation of economic deposits and allied scientific problems.
- (b) Production of a geologic map of State.
- (c) Very moderate and insufficient amount of drilling.
- (d) Completion of representative collection of Missouri products.
- (e) Publication of results of such work.

But it will certainly be clear to any fair minded person if he will only stop to consider the scope and variety of this work, the small force employed, the size of the territory to be covered, and what is expected by the people, that thirty thousand dollars per biennial period is exceedingly small and inadequate for the proper prosecution of the work. However, it is safe to say that the above work can be continued by the use of the strictest economy and by proceeding slowly on that amount.

## SECOND.

Under this heading are the following points:

- (a) A rapid and more thorough prosecution of the work as outlined under first heading.
- (b) More thorough and greater amount of drilling.
- (c) Co-operation with U. S. Survey in production of a perfect Topographic Map of whole State.

It certainly must be unnecessary to enumerate the points in favor of (a) and (b). Nothing could be more obvious. But in order to show why a topographic map of the whole State should be made the following is quoted from Vol. 1 of the recent West Virginia Survey:

"If now, upon such an areal map, the elevations and contour lines could be superposed, there would be added to its value an entire realm of facts which are at present unknown and unrealized by the ordinary citizen. If the scale of the maps were such as to permit the country roads and streams to be designated, as it ought to be, then they would lend themselves to a thousand uses of our every day life. At a glance one could locate the steeper slopes and level stretches. The traveler, whether on foot or on wheel, can know the ups and downs of his journey beforehand. The land buyer can bring to book the descriptions of the land seller, seeing for himself what is upland and what is river-bottom, delineated by an authority that is entirely impartial. The engineer can lay out the preliminary profile of his turnpike or electric railway at his office desk, being sure of the correctness of the large points of control; city engineers can calculate the water supply that is tributary to their towns, can know at what levels it can be impounded, and learn by inspection the most economical location of dams, reservoirs, and pumping stations. The feasibility of projected ship-canals and the compar-

tive merits of different routes can be in great measure settled, without expense. The manufacturer, the miller, the miner, the contractor, can know beforehand the best location for his factory, his mill, his shops, and his headquarters. Eventually the geological outcrops can be transferred to the same map, in a scheme of colors, the geology explaining the topography and the topography suggesting the geology. Then the sheets will be bearing something like the load of correct information concerning the surface of the State that should be demanded and furnished by an intelligent commonwealth.

"But these considerations are largely pecuniary. There are others that are scientific, intellectual, and educational, and which will be more highly valued by the thinking citizens of the State. The naturalist has a sore need of topographic maps in all his endeavors to explain the geographical distribution of plants and of animals. In his field excursions, as a mere guide for his trips, they make all the difference between high satisfaction and regret that he had not a better map; while in explaining and recording the distribution of plants and animals, the topography is a factor which injects itself into his problems at every turn. The geologist who is endeavoring to unwind the history of the preglacial drainage of the State and its relations to modern drainage, has at present to map his own topography; and he has nothing to suggest localities where evidence on critical points might be obtained. Unless he is fortunate enough to see the topography of a locality with his own eyes, he can not know whether there is any problem deserving study at that point or not. In contrast with this we see Professor Davis, of Cambridge, taking the elaborate maps of France and Germany, and, in his laboratory, writing with confidence of the episodes in the history of the Meuse and Mosel rivers, leaving scarcely a word or an opinion to be altered when the place is subsequently visited in person. The physicist and the meteorologist are in equal need of a knowledge of altitudes, that they may interpret aright the pressure of the atmosphere and its ever varying phenomena. Indeed, one can not foresee all the benefits that would arise from the survey proposed, for every step forward in exact science is sure to open up, and form a basis, for unexpected advances in related lines. Our duty is to push forward in faith, being sure that our horizon will be broader from the new position attained.

"As a matter of mere intellectual triumph over nature, the utility of this survey may be urged. Ohio has been settled for over a hundred years, and has become one of the most important commonwealths in the Union. Its interests are diversified. It has enjoyed general prosperity, and in education, in the support of public institutions, and in intelligent appreciation of the best things, it has an honorable standing. But is it not high time that an intelligent people should construct for themselves, and thus be able to contribute to the world's consistent and complete representation, in three dimensions, of that portion of the earth's surface with which their fortunes are inevitably linked? To subdue, to cultivate, to comprehend, to prepare for man's uses with the utmost refinement this surface which is the most persistent and conspicuous element in the environment of man, should be a task, in the accomplishment of which a worthy sense of satisfaction and triumph may well be indulged."

## MONEY NEEDED.

|                       |              |
|-----------------------|--------------|
| For maintenance.....  | \$20,000 00  |
| Core drilling.....    | 30,000 00    |
| Topographic work..... | 40,000 00    |
| Soil analysis.....    | 10,000 00    |
| Total.....            | \$100,000 00 |

Both the Topographic Mapping and the Soil Analysis would be done in co-operation with the U. S. Survey and the Federal Government would put as much money into it as the State. The work would be as perfect as the most improved methods for engineering work could make it. All the money the State appropriated for the work would be spent within her own bounds, and a large part the U. S. appropriated would also be spent in the State, hence it would result, in money being brought into the State. Many of the Eastern states, not so large nor so wealthy as Missouri, have secured this co-operation with the Federal Survey and the results are in every way gratifying.

It is rather a surprising fact that the cost of the survey during the last four years has been equalled by the increase in taxes being brought about by the land entered and converted into taxable property during that period. With liberal appropriations for carrying on the work as outlined above even that record can be surpassed.

Dr. John A. Gallaher, State Geologist, died June 21, 1900, at Warrensburg, Missouri, after an illness of several weeks. He was a zealous student and loved his profession. He was a man of varied information and of untiring industry and energy; conscientious, honest and faithful, courteous and affable, and leaves behind him a spotless record for his family and an example worthy of emulation. His death is deeply deplored, and it is recognized as a great loss to the State of Missouri. He leaves a wife, two sons and one daughter, who have in their bereavement the sympathy of all Missourians. Upon the death of Dr. Gallaher, his son, Leo Gallaher, who had received his practical training from his father, and who was thought in every respect worthy and well qualified, was named by the Board of Managers of the Bureau of Geology and Mines, as Acting Geologist.

## EXCISE COMMISSION.

Chas. P. Higgins, Excise Commissioner of St. Louis, submits me the following comparative statement of State and City Revenue for dram-shop purposes, collected by his predecessor and himself, during their respective terms, excepting the year beginning July 3, 1900, and ending July 3, 1901, which it is thought will also show an increase over the preceding year.

BY N. M. BELL.

|                                    |                |
|------------------------------------|----------------|
| July 3, 1893, to July 3, 1894..... | \$1,136,275 55 |
| July 3, 1894, to July 3, 1895..... | 1,185,792 30   |
| July 3, 1895, to July 3, 1896..... | 1,173,176 75   |
| July 3, 1896, to July 3, 1897..... | 1,190,169 60   |

BY CHAS. P. HIGGINS.

|                                    |                |
|------------------------------------|----------------|
| July 3, 1897, to July 3, 1898..... | \$1,216,789 20 |
| July 3, 1898, to July 3, 1899..... | 1,201,373 75   |
| July 3, 1899, to July 3, 1900..... | 1,213,566 70   |

Mr. Higgins, in forwarding this report to me, makes the following suggestion, which is respectfully submitted:

"I have, during my term of office, endeavored to do my full duty, honestly and impartially. During my term an agitation has prevailed regarding 'disreputable' saloons. They have always existed, and are created by the tax-paying citizens owning property in the block or square in which they are situated, and I can see no remedy for their abolishment, other than the enactment of a law providing for the closing of all saloons between the hours of 12—midnight, and 5 a. m. This would come nearer to accomplishing this end, as the business of these places is wholly done between these hours; and a law of this sort would make the business so unprofitable that they could not exist; and in addition would prevent murders, robbery and other crimes."

#### STATE BOARD OF PHARMACY.

Since the report of this Board, December 31, 1899, there have been held five meetings, at the following places: Jefferson City, St. Louis, Kansas City, Sedalia, and St. Louis. During the year the Board has examined 254 applicants of which 131 passed and 123 failed. It has issued in all 655 licenses, 524 of them being to physicians and graduates of pharmacy, who were entitled to a license under section 3037 and 3052 of the Revised Statutes of Missouri, "without examination."

According to the decision of Attorney-General Crow, the Board found itself in a dilemma, owing to the ambiguity of the Pharmacy laws. section 3037 provides that physicians duly authorized to practice medicine in Missouri, shall be registered without examination. Section 3052 provides that the Board of Pharmacy conducting examinations under the provisions of this section shall not be permitted to inquire into the source of information of any applicant, but shall subject all applicants to the same examination and require of all the same degree of efficiency.

During this administration the Board examined 976 applicants, of which 514 passed, and 458 failed. The examinations consisted of written questions and answers in practical pharmacy, theoretical pharmacy, toxicology, materia medica and chemistry; the Board requiring a rating of seventy per cent. in all branches—not less than fifty per cent. to be made in any one branch.

#### EDUCATION.

##### STATE UNIVERSITY.

In no institution in Missouri, indeed in few, if any, in the Mississippi Valley has the growth and advancement been greater in the last four years than in the University of the State of Missouri. This advancement has been not only in attendance of students, but in the character and excellence of work done. The Missouri State University is

taking rank, as it well deserves to do, among the leading institutions of America. This progress will be gratifying to the increasing number of friends that the University has throughout the State. Tuition has been made free in all departments; the medical course has been extended to four years and the law course to three years; a high school education is now required for admission to both courses. The laboratory of Anatomy has been equipped and the chair of Anatomy filled.

The Parker Memorial Hospital erected through the generosity of William L. Parker, of Columbia, supplemented by the State appropriation of \$10,000 has been built. This hospital is for Clinics, for the care of students who are sick and for training nurses. An appropriation will be needed for its equipment.

Household Economics has been equipped with an admirable teacher in charge, under the direction of the Fortieth General Assembly. Notable improvements have been made in the Academic department in the Engineering department, the department of Physical Culture and in the Library. On the first day of June, 1897, there were enrolled as students at Columbia, 701, and at the School of Mines, at Rolla, 104; total for the whole University, 805. On the first day of June, 1901, at the close of the present school year, there will have been enrolled at Columbia for the present year 1305 students and at Rolla 168; a total for the whole University of 1473 students. This is a gain during the four years in student enrollment of 85 per cent., increase unequalled in the history of the institution. Three-fourths of the growth has been within the last two years and its continuance is practically certain. Within the next four years there will be enrolled nearly or quite 2,000 students and the General Assembly, in making appropriations should provide not merely for the 1300 at present enrolled, but for the certain increase. There is no educational institution in the State, public or private, that in the last two years has increased so rapidly as the State University. Moreover this increase may be expected to continue. In 1897 the University had 50 approved schools in the various counties of the State, graduates of which were admitted to the University without examination upon presentation of certificate or diploma. There are now over 112 approved schools, an increase of over 100 per cent. Moreover each approved school is increasing in numbers. Because of this and other reasons the growth of the University seems to be assured. It remains for the Forty-first General Assembly to decide whether the intellectual demands of this army of students shall be properly met. It must of necessity take larger funds for the teaching of 1300 students than that of 800. Because of the abolition of tuition fees, the University has no income from this source, and the State will have to make good its loss.

The University is now in point of attendance the sixth State University in America, having surpassed in enrollment its neighboring Universities of Kansas and Iowa. Its summer school, though of comparatively recent establishment, is the fourth in size in the United States. The University can not be maintained at its present high standard nor can it keep up with the demands of the youth of the State except it receives liberal support from the General Assembly. The estimate of the Board of Curators is that for maintenance and support of the University for the next biennial period there will be needed an appropriation of \$32,000 for the School of Mines at Rolla and \$285,000 for the University at Columbia. To this most conservative estimate I give my cordial approval. In this estimate there is no account taken of the

needed buildings. Among the buildings which the Board of Curators and the Board of Visitors report as of urgent necessity are the two for which appropriations were made by the Fortieth General Assembly, but which because of lack of revenue in the State Treasury were vetoed, the main building at the School of Mines and the building at Columbia, for live stock judging, veterinary surgery and dairying. Other buildings at Columbia which should be provided as soon as revenues of the State will permit, are an engineering laboratory, a Dormitory for Women, a fire-proof Library building a Gymnasium and Armory, a Medical building and a building for Botany and Entomology.

During the four years now closing there have been expended in permanent improvements at Columbia and Rolla \$100,000 which is remarkably small when the needs of the growing State University are considered. Of this amount, \$34,500 was for a new dormitory and furnishings; \$32,500 for laboratories and libraries; \$30,000 for the Parker Memorial Hospital, of which \$20,000 came by private gift.

The foremost need of the University is a fixed allowance from the State for its support. In most of the Mississippi Valley States this provision is made for the support of the universities by a fixed tax levied upon property in the State and entered on the tax bill of the citizen as a separate item so that he may see the amount. Taxes are levied in the following states for this purpose:

1. The University of Michigan, not including the Schools of Mines or the Agricultural College, one-fourth mill (2 and one-fourth cents on the \$100) of property. Income from all sources nearly \$500,000 a year.

2. University of Wisconsin, about one-fourth mill for maintenance and a large tax additional for special purposes. Its income from all sources is nearly \$400,000 a year.

3. University of Iowa, not including Agricultural College, about one-fifth mill or two cents on the \$100.

4. University of Nebraska, two-hirds mill or about six and two-thirds cents on the \$100. This is the largest tax levied in any State for the maintenance. In Missouri it would yield a revenue of \$833,333 a year.

5. University of California which has besides an endowment of more than five millions, one and one-half cent on the \$100 valuation. Its income from all sources is not short of \$500,000 a year.

6. University of Minnesota for maintenance alone has an annual income of about \$350,000 a year.

7. Ohio University one-tenth mill or one and one-half cents on the \$100, has income from all sources about \$300,000 a year.

8. University of Oklahoma, one-half mill, five cents on the \$100. In Missouri this would yield \$650,000 a year.

9. University of Illinois expects to receive in the coming biennial period about \$700,000.

The University of Missouri received during the last biennial period for the department of Columbia \$142,700 which is three-fifths of a cent on the \$100 of taxable property in the State. A man with \$1,000 worth of property on the tax book paid the University six cents a year. A man in Nebraska paid sixty-seven and two-thirds cents; in Michigan twenty-five cents besides what he paid to the College of Agriculture and State School of Mines. It will be seen that several of the State Universities west of the Alleghanies have received more per annum

than the Missouri University has received in the biennial period. Moreover, they have in general a stated income and hence are able to carry out a fixed policy. I have heretofore recommended to the General Assembly that provision be made for a fixed income for the Missouri University and here repeat with emphasis my former recommendations along this line.

The certificates of indebtedness heretofore issued for the public school and seminary fund have proved safe and satisfactory. Adequate provision should be made for their continuance.

The State University is the head of the public school system of Missouri. It should be so liberally supported that no Missourian need send his children beyond the borders of the State for University training.

#### SCHOOL OF MINES AND METALLURGY.

The past four years have been notable in the annals of the Missouri School of Mines for changes and improvements. A general reorganization of the faculty and administration, and a change in the character of the work of the school has been accomplished. The latter which was largely academic and preparatory has become almost purely technical. The full courses for engineering degrees have been strengthened, and the standard for admission to the school very materially raised. The results of these changes have been gratifying in the extreme. The number of students in attendance has increased each year until the school has been taxed to its utmost capacity to provide for them. Every inch of available space has been utilized for laboratory and lecture room purposes, and two rough temporary wooden buildings have been erected. Not only has there been this marked increase in the number of students but there has been a striking improvement in their quality, specialists in teaching different branches and lectures, and concerts—

The influence of the school is now being felt in all parts of the State and the charge that it is a local institution, so far as its work is concerned, can no longer be sustained. Its reputation has become so well established that it has now enrolled fifty students from other states and countries—a fine testimonial to the character of the work which it is doing.

Former Legislatures have made no provisions for the unexpected growth of this institution, and its needs in the way of new buildings and equipment are very urgent and are justified both by the record the school has made and by the importance of the great mining industries of the State. It ought to be made the equal if not the superior of any similar institution in the country, and under any circumstances provision should be made for its immediate necessities.

#### REPORT OF BOARD OF VISITORS.

I am in receipt of the following report of the Board of Visitors which is respectfully submitted:

Columbia, Missouri, December 18, 1900.

Hon. Lon V. Stephens, Governor of Missouri, Jefferson City, Missouri:

Dear Sir:

Pursuant to the provisions of section 10,511 of the Revised Statutes of Missouri, 1899, the Board of Visitors met at the University of

Missouri on December 18th and made personal examination into the condition of the University, and hereby report the result to you with suggestions of such improvements and recommendations as are thought important.

We beg to report that we find the University in a flourishing condition, and that, with the students now enrolled and those that ordinarily enroll during the year, the attendance at Columbia will be not less than 1300, and at Rolla about 165, making the enrollment in the whole University about 1465. Not only is the attendance, but the influence of the University and its usefulness rapidly increasing.

First. We suggest that section 10,511 be amended so as to provide for the Annual Meeting of the Board of Visitors on the second Tuesday in November, because of the fact that the law now fixes the time of meeting of the Board of Visitors at the same time that the Curators and the Board of Agriculture meet. In consequence of this the officials of the University are not in a position to assist the Board of Visitors to the extent that they would be were not the duties imposed upon them necessitated by their attendance upon the other two Boards.

Second. We recommend the necessary appropriation for the erection of a Dairy and Stock Judging building at Columbia, and a General building at Rolla, such as were provided in the appropriations of 1899, and which you were obliged to veto for fear that the anticipated revenue would not meet all the appropriations made at that session.

Third. We recommend as next in importance, the erection of a fire-proof Library building. The University now has no Library building, and its Library consisting of 35,000 volumes is housed in one wing of the Academic Hall, in which there is not sufficient room for the students in their library work.

Fourth. A medical building should be erected at once. This is the only department which does not possess a building of its own, and at present the teaching force of this department is scattered through five different buildings. We also recommend in this connection that an appropriation be made for the heating and equipment of the Hospital building.

Fifth. We renew the recommendation in our last report, that a Gymnasium and Armory building be erected. At present, during the bad weather all military drill necessarily ceases. The Gymnasium is at present located in the basement of the Academic building, a place wholly unsuited for the purpose. In addition, a large number of students who have been desirous of taking gymnasium work have been refused on account of the lack of room.

Sixth. A reasonable appropriation should be made for the erection of a Woman's Dormitory. The State has already erected three Dormitories for men, and as there are over 300 women in the University, a failure to give them equal facilities seems an unjust discrimination.

Seventh. The Engineering Department is in need of a Laboratory building. This department has the necessary teaching rooms, but has no Laboratory rooms whatever, which operates as a serious hindrance in the efficiency of the department.

Eighth. We recommend the re-enactment of that part of the Law of 1895, (afterwards declared invalid by the Supreme Court) which provides for a corporation tax, and suggest that the fees result-

ing therefrom be placed to the credit of the Seminary or University Fund to meet appropriations for the University. We suggest such legislation as this, in order to relieve the pressing burdens which continually rest upon the General Revenue Fund, and our suggestion is not merely in the interest of the University, but in the interest of all the State's institutions, because to the extent that the General Revenue Fund is relieved of pressure, to the same extent is the ability of the State enlarged to meet the demands of all its other institutions.

Ninth. We call attention to the fact that larger appropriations must be made for the maintenance of the University. This is due to several reasons.

In the first place, the University of Missouri, with two other State Universities, up to two years ago stood alone in charging tuition fees. The authorities of this institution rightfully and correctly came to the conclusion that it was improper to charge a student a tuition fee as the condition precedent to his admission in a Public School, for the University is a part of the Public School system of the State. Accordingly, all tuition fees are now abolished in the University, as is the case in almost all similar institutions in the United States. The result of this, however, is the loss of some \$12,000 to \$15,000 revenue per annum from such tuition fees, making the net loss for the biennial period of from \$25,000 to \$30,000. Necessarily this loss must be made up by an increase in the maintenance appropriations. In addition to this the policy of free tuition, and the recent quick growth and development of the institution, has brought about the large student attendance already adverted to, and such increase will continue within the next two years, which of itself will necessitate increased expenditure.

For these reasons we think the appropriation for the biennial period, aside from the interest on the University's endowment fund, should not be less than \$280,000.

Tenth. We are advised that the Y. M. C. Association of the State will contribute \$15,000 if the State will appropriate \$25,000 for the erection of a Y. M. C. A building. We recommend that this generous proposition be accepted. The benefits are so self-evident that we consider comment unnecessary.

Eleventh. We desire to return and in this way to express the grateful acknowledgment of the Board of Visitors to William L. Parker of Columbia and Adolphus Busch of St. Louis. Mr. Parker gave \$15,000 to assist in the erection of the Hospital building of the University. Mr. Busch realized the necessity of building a clinic amphitheatre in connection with the Hospital and for which no funds were on hand. Mr. Busch, with the generosity which has always characterized him, cheerfully gave this sum. The memory of the munificence of these men will always continue with the good that will accompany it at the institution. To them we believe it due this expression from the Board which we take pleasure in giving in this official manner.

Twelfth. We commend the action of the University authorities in establishing a Co-operative Store at which the students are enabled to buy at a reasonable cost all books, stationery and other supplies.

Thirteenth. We heartily recommend that the State Board of Geology and Mines be removed to the Geological building of the University which is ready to furnish for the collections of the Bureau a fire-proof Museum room fifty feet wide and one hundred feet long and for the officers of the Bureau suitable rooms. We believe that the

association of the Geological Survey with the department of Geology at the State University would be of great benefit to the Survey, to the science of Geology in the University and to the students who come from all parts of the State. We point to the fact that such association has brought forth good fruit in a number of the foremost States in the Union. This transfer is recommended by the Board of Curators by unanimous vote.

Respectfully submitted,  
CHAS. E. YEATER, Secretary.  
WALLACE ESTILL, President

STATE NORMAL SCHOOL—KIRKSVILLE.

During the past four years the number of students enrolling each year has changed but little. The school has been working to its full capacity. It could not do justice to large numbers. If there were more rooms and more teachers there would be larger numbers of students. The standard of entrance and graduation has been raised. Small departmental libraries have been put into all the recitation rooms and three new laboratories have been fairly well started. A good Manual Training Shop has been established and is now in successful working order. The present building has been used without material alteration for twenty-eight years. The educational interests of this Normal School district seem clearly to require the addition of at least eight healthful recitation rooms to the building to accommodate the classes now there. The school needs also a Library and Reading room and a Gymnasium. It is filled with large classes of aspiring and hopeful young Missourians, and would have many more if it could accommodate them. I therefore sincerely hope the necessities of the institution will so strongly appeal to your judgment that you will be disposed to approve the request of the Regents and President of the school for good wholesome appropriations. They will ask for:

|  |             |
|--|-------------|
| Support and maintenance, biennial period 1901-2..... | \$40,000 00 |
| New heating plant .....                              | 3,500 00    |
| Repairs and improvements.....                        | 2,200 00    |
| Library and scientific appliances.....               | 5,000 00    |
| Summer school .....                                  | 3,000 00    |
| Necessary new building... ..                         | 40,000 00   |
| Total .....  | \$93,700 00 |

STATE NORMAL SCHOOL—WARRENSBURG.

The State Normal School (Second District) has grown and developed during the present administration. Though the course of study has been raised about a year and the entrance and graduation requirements correspondingly lifted, the attendance has remained constant, and the interest steadily increased. Some of the new features introduced in the last two years are as follows:

- 1. Manual Training.
- 2. Physical Culture.
- 3. Practical Agriculture and Nature Study.

4. A Kindergarten Department.

5. Two years of German.

This school has wisely expended every dollar received from the State and has a most excellent and modern school building. The grounds are beautiful and the location all that could be desired.

The school draws many pupils from outside the district. This shows the confidence the people and the teachers of the State have in the school. There are forty-three counties in the Second district. In the attendance for the school year 1899-1900 seventy-three counties were represented.

While the Academic work done here is first class and the Laboratory and the Library facilities unsurpassed by any other school in the State of the secondary grade, the feature that is especially prominent and strong is the Pedagogical or Training School. This department has been thoroughly reorganized and now employs five teachers. It is a regularly organized graded school of eight grades, divided into the divisions of Primary, Intermediate and Grammar School. To these should be added the Kindergarten. There are 190 pupils in this Training department. The Professional department in the Normal proper is closely articulated with the Training School. It is believed that the State has an institution at Warrensburg of which she has just cause to be proud.

#### STATE NORMAL SCHOOL—CAPE GIRARDEAU.

During the last four years there has been a small increase in the number of students attending the Third District State Normal School. The number of students attending is as large as the school should have with its present equipment. A large number would attend the school if the equipment was increased. The rural schools and the town and village schools of Southeast Missouri are developing more rapidly than in any other section of the State, and the demand for well qualified teachers is greatly increasing. To meet this condition the Normal School has raised its entrance requirements gradually, so that at present about eighty per cent. of the students attending the school are in the Normal Department proper, and only twenty per cent. are in the Sub-Normal Department. But the advancement of the schools of Southeast Missouri will be greatly retarded unless the equipment of the Third District State Normal is considerably increased.

The present Normal building without change, except an enlargement of the Chapel and the addition of small society halls, has served the Normal for twenty-six years. At present the entire building, including every room in the basement, is occupied. All the Laboratories, the Library, and the Training School need more room. There is no available space for the Industrial Department or Gymnasium. The Normal School needs an additional building to accommodate the Laboratories, the Training School and Industrial Department, and a Gymnasium. The present building would accommodate the school in the matter of general recitation rooms and Library.

The last General Assembly appropriated \$25,000 for the support of the school for two years: \$21,500 for teachers' salaries, 1,000 for painting the building, \$1,000 for the Library, and \$1,500 for the Laboratories. The entire appropriation has been exhausted. With the money appropriated by the last General Assembly and what could be spared from the incidental fund for some years, the Board has succeeded in equipping three small but good Science Laboratories, a small general

Library and Reading Room, and special Libraries in the departments of History, English and Pedagogy. These should all be enlarged.

The school will ask for the next two years the following appropriations:

|  |             |
|--|-------------|
| For teachers' salaries.....                    | \$28,000 00 |
| For summer school.....                         | 3,000 00    |
| For library.....                               | 2,000 00    |
| For laboratories.....                          | 2,500 00    |
| For establishing an industrial department..... | 1,500 00    |
| For completing walks.....                      | 1,500 00    |
| For a new building.....                        | 30,000 00   |
| Total .....                                    | \$68,500 00 |

#### MISSOURI SCHOOL FOR THE BLIND.

This institution is in excellent working order. The cost per capita for maintenance of pupils is \$228 as against the average cost per capita of thirty-nine other schools for blind of \$230. The discipline is excellent. Many improvements have added to its efficiency as a school. All of the money received has been most judiciously expended, and the usefulness of the institution is greater than ever before.

The removal of the school to a more suitable location in the city of St. Louis and erection of a new building is recommended by the management. It is deemed wise to keep the school in the city of St. Louis on account of important advantages attaching thereto—skilled oculists, specialists in teaching different branches and lectures, and concerts—not to be obtained elsewhere. A new building with comforts and conveniences is needed. The old and dilapidated structure now necessitates constant and expensive repairs.

#### MISSOURI SCHOOL FOR THE DEAF.

The number of pupils enrolled in this school in January, 1897, was 345, and at the present time there are 325. The number of pupils graduated and otherwise discharged from the school during this period (last four years) was 114. The present cost per capita of maintaining the pupils is \$197 annually. This is a slight increase, but there has been a corresponding increase in the welfare of the pupils. It is still \$37 less than the average per capita cost in thirty-four similar schools in the United States. The general condition of the school is good.

It is suggested that an additional school building, and a cottage for pupils under ten years of age, are needed.

It being the opinion of three experts called in by the Board of Managers that the heating system was wholly inadequate and that a considerable part of it would not serve another winter, the Board agreed to allow the Ringer Stove Company of St. Louis to put in a modern and complete system of heating pipes, at an expense of \$3,500. No binding contract was made on the part of the Board. It was simply agreed to present the matter fairly to your honorable body for allowance, and I trust you will see your way clear to do so.

The school is in excellent hands and was never better managed than now. Recommendations which will be made to the General Assembly are worthy of careful consideration.

## LINCOLN INSTITUTE.

This Normal School for the education of the colored people has, during the last few years, risen to a standard second to none of its class. The number of students enrolled for the present scholastic year, including the practice school, is 243. This increase of a hundred students over the number matriculating last year is remarkable, when the fact is considered that lower grades were discontinued, and the standard for scholarship was correspondingly raised.

During my administration \$13,000 have been spent in permanent improvements, such as for water, sewerage, heating apparatus and other equipments. I am informed that accommodations as to dormitory facilities are too meager to permit the management to house all or even most of the students upon the grounds. An appropriation will be asked for a suitable dormitory for boys, and it is further held that it will be a matter of economy to repair and paint all the buildings. The institution is in safe hands, and good work is being done.

## ELEEMOSYNARY INSTITUTIONS

## STATE FEDERAL SOLDIERS' HOME.

The number of inmates at the State Federal Soldiers' Home is now 120, ninety-five of whom are males, and twenty-five females. When the State assumed control of the home there were but eighteen inmates.

The value of the Home and improvements, when donated to the State by the W. R. C. and G. A. R., was \$40,000. Permanent improvements to the amount of \$8,458 have since been made by the State.

The cost per capita for maintenance of inmates, per day, under Superintendent Crandall was sixteen and one-half cents; under the present superintendent it is twenty cents.

The management is of the opinion that an appropriation will be necessary for the construction of a Dormitory, Hospital, etc., estimated at \$74,490.

## CONFEDERATE HOME.

At the beginning of this administration there were 119 inmates in this Home. During the past four years 168 persons have been admitted. During that time ninety-seven have been discharged or withdrawn, and forty-six have died, leaving 144 inmates remaining at this time. In addition, the applications of twelve more have been approved and notified.

The capacity of the Home is 150, comfortably housed and roomed, but in the winter time it is often crowded to 160 or 165. This crowds the institution beyond its capacity but is can not be avoided without enlarged facilities. There are 165 applications for admission now on file, worthy and needy, but the applicants can not possibly be accommodated.

The ages of the inmates range from 60 to 85—the average age being above 65. Many of them are sadly afflicted from wounds and disease, and a large number are almost entirely helpless.

The per capita cost of maintaining the inmates is 21.53 cents per day.

A number of valuable permanent improvements have been made during the past four years.

The farm of 360 acres has proved to be a valuable adjunct in supporting the Home. In the four years just closed it has yielded a net income, above the cost of its operation, to the support of the institution, of \$6,159.69. It is in a splendid state of cultivation, and is equipped with the best modern farming machinery and implements, good work horses and well-bred cows and hogs.

The financial condition of the Home is good, the management having always conducted the business of the institution within the limit of the funds provided, and at no time have its accounts been overdrawn. In all of its departments, the Home has steadily improved each year under State control.

The hospital building is entirely unfitted and inadequate, and a new one must be built. This is the paramount need of the institution. It is thought that the necessary building could be erected and equipped for \$10,000. In addition to this, it is suggested that an appropriation of \$2,000 for a new cow-barn, \$1,000 for mattresses, and \$3,000 for general repairs is needed. None of the comforts and necessities of life should be withheld from these unfortunate people. Every dollar appropriated will be judiciously expended.

#### REFORM SCHOOL FOR BOYS.

On January 1, 1897, there were confined in the Reform School for Boys at Boonville, 306 inmates. At the present time there are 338 inmates—an increase of 32. During this administration 890 boys have been discharged from this institution. Fully seventy-five per cent. of them are employed and are doing well. The cost per capita of maintaining inmates is at present \$11.50 per month—a slight decrease as compared with former administrations. The present general condition of the institution, financial and physical, is good. The Legislatures have been liberal in their appropriations for improvements and moneys have been at all times judiciously expended. During 1897-1898 there was received from counties and other sources \$92,567.82; during 1899-1900 \$94,997.15, not including legislative appropriations.

It is apparent that the necessity exists for a new school building, which should be of such capacity as to care for 600 boys. With a cash appropriation of \$7,000 by the Legislature, with the help that can be rendered by the boys, such a building could be constructed.

The "cottage system" has been found to be far in advance of all other systems, and a cottage to accommodate fifty more boys is desired, which will cost \$5,500.

The management desires to duplicate the electric light generator and engine to furnish power for all shops. Two thousand dollars would be necessary for this improvement. It would in my judgment be a great saving to the State and would prove a good investment.

#### INDUSTRIAL HOME FOR GIRLS.

|   |     |
|---|-----|
| Number of inmates at present.....               | 101 |
| Number of inmates January 1, 1897.....          | 73  |
| Number of discharges since January 1, 1897..... | 73  |

The Legislature of 1897 appropriated the following amounts for permanent improvements:

|   |            |
|---|------------|
| To finish Missouri building.....          | \$1,600 00 |
| To finish school and chapel building..... | 5,000 00   |
| For new barn and sheds.....               | 1,320 00   |
| For fence and walks.....                  | 1,000 00   |
| Total.....                                | \$8,920 00 |

The Legislature of 1899 made an appropriation for permanent improvements and but \$1,000 was allowed for repairs for the two years of 1899 and 1900, so that repair work has not been kept up as it should, as the small amount of \$500 per year barely sufficed to keep the old boiler plant in working order. Therefore amount expended for permanent improvements since January 1, 1897, \$8,920.00.

Amount appropriated by Legislature of 1897:

|   |             |
|---|-------------|
| For finishing Missouri building.....                    | \$1,600 00  |
| For finishing school and chapel.....                    | 5,000 00    |
| For new barn and sheds.....                             | 1,320 00    |
| For fence and walks.....                                | 1,000 00    |
| For repairs.....  | 2,000 00    |
| For support.....  | 7,000 00    |
| For salaries.....                                       | 10,000 00   |
| Total.....  | \$27,920 00 |
| Received from counties and individuals during 1897..... | 5,209 64    |
| Received from counties and individuals during 1898..... | 7,264 56    |
| Total funds of 1897 and 1898.....                       | \$40,395 20 |

Of this there was unexpended and turned back into the Treasury, January 1, 1899:

|                             |          |
|-----------------------------|----------|
| Of support fund.....        | \$308 43 |
| Of repair fund.....         | 119 16   |
| Of barn and shed fund.....  | 65 65    |
| Of fence and walk fund..... | 89 70    |
| Total unexpended.....       | \$582 94 |

But the salary fund was inadequate and there was a deficit, afterwards provided for in deficiency bill of 1899 of \$462.56. Making the total expenditure of 1897 and 1898, \$40,274.82.

## Amount appropriated by Legislature of 1899.

|  |             |
|--|-------------|
| For salaries of officers and employes.....                 | \$11,160 00 |
| For support.....   | 7,000 00    |
| For repairs.....   | 1,000 00    |
| Total.....   | \$19,160 00 |
| Amount received from counties and individuals in 1899..... | 5,620 71    |
| Amount received from counties and individuals in 1900..... | 5,120 55    |
| Total from all sources.....                                | \$29,901 26 |

|                                       |             |
|---------------------------------------|-------------|
| Expended for salaries, 1899-1900..... | \$11,155 73 |
| Expended for repairs, 1899-1900.....  | 1,000 00    |
| Expended for support.....             | 18,344 05   |
| Total expended.....                   | \$30,499 78 |

Making a deficit of \$598.52, which the superintendent is trying to collect from counties.

|  |      |
|--|------|
| Cost per capita for inmates at present.....            | .235 |
| Cost per capita for inmates former administration..... | .379 |

## Of the seventy-three discharged since January 1, 1897:

|                               |      |
|-------------------------------|------|
| Married and doing well.....   | 29   |
| Working and doing well.....   | 24   |
| Died.....                     | 1    |
| Doing badly.....              | 9    |
| Nothing known.....            | 10   |
| Total.....                    | 73   |
| Per cent. of reformation..... | 72.6 |

Every cent of the appropriation has been expended. The physical condition could not be better. There has been but one death in the institution since its establishment and no epidemic. The physician is paid by the visit and his annual bill would not exceed \$75.

The report of this institution will be found an interesting one, Recommendations made are indeed modest, and I urge at your hands a favorable consideration of same.

The two buildings are crowded to the full extent of their capacity, and the necessity for a new family building is great, if girls are to be received in the next two years.

The boilers are worn out and were always too small, and an appropriation for two new boilers and an enlargement of the boiler-house is an urgent need.

With the establishment of a new family, two new officers will have to be put in, and the present demand for a laundry teacher, as well as the establishment of a business department, with teacher, is one of the great needs.

A teacher in music should be put in, and a piano is very much desired.

The engineers' salary will have to be increased ten dollars per month, for it is impossible to find competent machinists and steam men to take charge of the plant, and stay permanently, at the present salary of fifty dollars per month.

The following sums should be appropriated for the use and support of the Home for the ensuing two years:

|  |             |
|--|-------------|
| New family building for inmates (this is estimated to cover steam heat and plumbing equipments)..... | \$28,000 00 |
| For furnishing same.....   | 2,500 00    |
| For new boilers.....   | 1,500 00    |
| Extension of boiler-house.....   | 1,500 00    |
| Cement walks.....  | 500 00      |
| Finishing outside front fence and walk.....  | 1,000 00    |
| Fitting up house and yards for poultry.....  | 300 00      |
| Equipping business department.....   | 300 00      |
| For library.....   | 100 00      |
| Purchasing four sewing machines.....   | 100 00      |
| Putting sewer through garden.....  | 200 00      |
| Purchasing piano for chapel.....   | 300 00      |
| Erection of shed and purchasing of vehicle.....  | 200 00      |
| General repairs.....   | 2,000 00    |
| Salaries for two years including the new officers.....   | 13,000 00   |
| Support .....  | 10,000 00   |
| Total.....   | \$61,500 00 |

These are low estimates and lower than those two years ago, notwithstanding the fact that all building material has advanced from ten to twenty per cent.

## ASYLUMS FOR THE INSANE AND FEEBLE MINDED.

### HOSPITALS FOR THE INSANE.

Our State has made liberal provisions for the care of her unfortunate insane. These hospitals are well equipped and I am glad to advise are conducted under superior management. By reference to their biennial reports you will observe that the general health of the patients has been good, that they have not been visited by any contagious or infectious diseases, and the financial and physical conditions of the institutions have never been better. Two years ago you provided well for their growing needs and demands. Every dollar of these appropriations has been spent carefully and judiciously. The new wing attached to the main building of Hospital No. 1 has been used by the overflow of patients for several months. There was not enough funds, however, to finish the upper stories of this building and you will be called upon to complete it, and make other additional improvements, such as ice plant

and cold storage, electric light plant, deep well, and surgical and scientific appliances.

Hospital No. 2 is also in a crowded condition. During the last biennial period a large number of patients have been admitted and it will become necessary for you to provide for their comfortable location. The management is so well pleased with the new bath house and the benefits derived therefrom that a separate building for women will be almost indispensable. All improvements made at this institution are durable and suitable and the value of all has been much enhanced by aid received from patients and institution help.

Hospital No. 3 reports its physical condition unusually good, except there seems to be an imperative need of certain appropriations in order that the best interests of the Hospital should be promoted. The management will ask you for the purchase of 160 acres of land adjacent to the Hospital and an addition to the main building for the further accommodation of the increasing number of patients, which I trust will meet with your favorable consideration.

#### LUNATIC ASYLUM NO. 4.

The Fortieth General Assembly passed an act authorizing the establishment of an asylum for the treatment of lunatics and insane persons in this State, to be located in some one of the counties of the State embraced within the territory lying south of the forty-fourth township line and east of the sixth range line, west of the fifth principal meridian, to be known as State Lunatic Asylum No. 4, and appropriated \$150,000 for the purchase of land and the erection of buildings.

Commissioners.—In conformity with the requirements of this act, I appointed Hon. J. D. Allen, Butler; Jas. Ed. Berry, Fulton; J. L. Buchanan, California; O. C. Clay, Canton, and Dr. C. H. Rigg, Middleton as a Board of Commissioners, who on October 2, 1899, met and organized their Board by electing J. D. Allen, chairman, and Jas. Ed. Berry, secretary.

Location.—One of the first actions performed by this Board was the selection of a location combining certain requirements specifically enumerated in the act and located within the territory heretofore designated. The following towns offered sites for location conforming with the law, and were each visited by the Board of Commissioners: DeSoto, Bismark, Arcadia, Poplar Bluff, Dexter, Fredericktown, Farmington, and Ste. Genevieve. After due deliberation on the part of the Board of Commissioners the site offered by the town of Farmington was selected, containing 326 acres of farming land at a cost of \$20,389.90, of which amount the citizens of Farmington contributed \$6,500, as a bonus.

Adoption of Plan.—After inspecting a number of the recently built modern institutions of similar character in the East, and conferring with some of the leading experts of the United States, the Board of Commissioners decided to adopt the cottage system of construction and selected Mr. H. H. Hohenschild, of Rolla, as their architect, upon whose plans and under whose superintendence the institution is being erected.

A careful investigation of the scheme of building adopted leads me to believe that it possesses many advantages for the treatment of insane over the old style and commonly used contiguous or connected class of

buildings. The classification of patients, the diversity of design and character of the buildings, together with the daily exercise of the patients in passing from the dining hall to the other buildings and the homelike environments of such an arrangement, are a few of the important points which commend themselves to the casual observer. A review of the report of the commissioners and the architect will give more detailed information than I can hope to include at this time.

**Buildings and Improvements.**—It is gratifying to me to testify to the efficiency and business-like manner in which the Board of Commissioners have discharged their duties and the wisdom used in the expenditures of the appropriations. I doubt if the State ever erected more complete and substantial buildings for a proportionate expenditure of money. All the improvements are of a permanent character and so planned as to permit future enlargement without necessitating the remodeling or changing of any portion of the work done at this time. Contracts were awarded during the year 1900 for the following buildings and improvements:

|  |              |
|--|--------------|
| For 5 two-story brick cottages.....  | \$73,092 00  |
| For power house and one-fourth mile brick tunnel.....  | 17,785 00    |
| For installation of heating and ventilation systems, including well, furnishing<br>water supply and sewage system..... | 34,283 00    |
| For cost of land after deducting bonus contributed by citizens of Farmington.....                                      | 13,889 90    |
| Making total expenditure of.....   | \$139,049 90 |
| Leaving a balance of.....  | 10,950 10    |

After deducting from the above balance, the per diem and necessary expenses of the Board of Commissioners and the salary of the architect, together with the additional cost of blasting rock in the bed of the tunnel throughout its entire length, which is the only extra expense incurred on this vast amount of work, there will be a balance of several thousand dollars, which will be applied to the furnishing of the cottages.

The cottages have been planned from a utilitarian standpoint, which in no manner detracts from their artistic appearance. They are of pressed brick, two stories in height, of modern construction and contain the necessary rooms and accessories so that each cottage will contain sixty patients.

The power house and engine room are of sufficient capacity to accommodate future enlargements and contain the necessary fixtures and machinery to provide heat, electric light and water for the plant, which are conducted into the buildings through a brick tunnel running the distance from the power house past each building.

**Future Extensions.**—To provide this institution with the necessary buildings to enable it to fulfill the objects of its establishment, and to properly care for the inmates, it is imperative that appropriations be made for the erection and furnishing of the following buildings: Superintendent's residence, dining hall, kitchen and storage building, laundry building, administration building, violent insane ward building and permanent sewerage system, requiring in all \$250,000, which I recommend to be made.

## MISSOURI COLONY FOR THE FEEBLE-MINDED.

The Legislature of 1899 appropriated \$30,000 for the establishment of a new State institution to be known as the Missouri Colony for the Feeble-Minded and Epileptic. After a careful and thorough examination of the various sites offered, the Board of Managers selected the site offered near Marshall, in Saline county, Missouri. The site chosen embraces 280 acres of land adjoining the city limits of Marshall, and was donated by the people of Saline county. The appropriation of \$30,000 has been used in erecting one cottage and building the foundation for another. (The colony will be open for the reception of patients about January 15, 1901.)

The act establishing the colony provides that "there shall be furnished among other necessary structures, cottages for dormitory and domiciliary uses, the buildings for an infirmary, a school-house and a chapel, workshops for the proper teaching and productive prosecution of trades and industries; all of which structures shall be substantial and attractive, but plain and moderate in cost, and arranged on the colony or village plan."

The State of Missouri has not heretofore made provisions for the care and instruction of feeble-minded children, although it is well known that there are many such in our midst. If our population furnishes the same proportion of feeble-minded children existing in other States in which statistics are available, there must be over 1,000 feeble-minded children in the State. These children can not be taught in our public schools, and for want of the special training suited to their capacity, they frequently degenerate into complete imbecility or idiocy.

Sixteen of the states of the Union have for a number of years maintained well-equipped schools for the care and instruction of feeble-minded children. Reports of these states prove beyond question that many of the children who are taken in an apparently helpless mental condition, have been brought by careful training into such condition that they may be discharged and sent into the world with a capacity to become self-supporting. Others, too weak to become self-directing, may become self-supporting under wise control and restraint in State institutions suited to their needs. The system of training adopted is partly manual and partly mental, but is in every case adapted to the capacity of the single patient, the ultimate aim being to render him self-supporting, if possible.

Other states have made provisions for the care and education of the feeble-minded as follows:

| States.             | Instructors and assistants. | Pupils. | Value of improvement and grounds. | Expenditures. |
|---------------------|-----------------------------|---------|-----------------------------------|---------------|
| Massachusetts ..... | 107                         | 647     | \$343,600                         | \$76,234      |
| New York .....      | 115                         | 1,352   | 587,053                           | 155,523       |
| New Jersey .....    | 73                          | 337     | 225,000                           | 75,387        |
| Pennsylvania .....  | 141                         | 980     | 565,000                           | 162,709       |
| Kentucky .....      | 13                          | 135     | 100,000                           | 25,000        |
| Ohio .....          | 89                          | 1,096   | 705,870                           | 143,231       |
| Indiana .....       | 70                          | 601     | 330,000                           | 77,000        |

|                  |    |     |         |         |
|------------------|----|-----|---------|---------|
| Illinois .....   | 16 | 725 | 350,000 | 130,000 |
| Michigan .....   | 19 | 200 | 90,100  | 69,760  |
| Minnesota .....  | 55 | 682 | 399,829 | 129,145 |
| Iowa .....       | 75 | 816 | 315,915 | 123,104 |
| Nebraska .....   | 20 | 216 | 150,000 | 25,000  |
| Kansas .....     | 12 | 116 | 61,470  | 22,358  |
| Washington ..... | 9  | 55  | 25,000  | .....   |
| California ..... | 40 | 540 | 560,000 | 80,000  |
| Wisconsin .....  | 50 | 368 | 170,700 | 120,000 |

There are also a large number of epileptics in our State whose mental and physical condition is such that their care devolves upon the community. Many of these unfortunates are at present confined within our various State insane asylums, while others are in poor-houses, and yet many others are living in a neglected and uncared-for condition. These patients should not be placed in our insane asylums, as they are not in need of constant restraint. Other states have provided separate asylums for the epileptic, finding that the special care, which may be devoted to them in a separate institution, produces better results than are attainable when they are placed in asylums with other insane patients.

The European nations have long recognized the fact that restraint of the defective and imbecile classes is necessary to the protection of society. There are authentic records in France which give the criminal history of four generations of a single family. The mother of this family was an insane epileptic, and her progeny through four generations were insane, idiotic, imbecile, or criminal. The actual money cost to the French government on account of this single family was no less a sum than one and one-fourth million dollars.

The only justification for the expenditure of the public money is the conservation of the public good; therefore, in the establishment and support of this colony, public relief is aimed at—relief from the greater burden of individual care of these defectives, and also relief from the still greater burden of idiotic, epileptic, and insane progeny that are brought upon society by these defectives when unrestrained. No other trait, physical or mental, is so sure of reproduction in off-spring as is this taint of feeble-mindedness. While sometimes the causes are accidental, the records agree that at least eighty per cent of these degenerates are such because their parents were degenerates. Viewed from a money point alone the cost of neglecting them is greater than the cost of taking proper care of them.

The act of 1899 contemplates the care of both feeble-minded children and epileptic patients by our State. The buildings are to be arranged on the colony or village plan, thus enabling the management to house the different classes of patients in separate buildings, and at the same time insure better light and ventilation for the various wards, and furnish more certain protection against accidents by fire and other casualties than can be attained in a single large building.

The State of Missouri holds first rank in wealth and population. It is the only State of the first rank that has not already made some provision for the special care of both feeble-minded and epileptic patients. The Legislature of 1899 has made an initial appropriation, and the work

mapped out by the act has been well performed. The one cottage completed, however, will house only a few patients. In order to place the colony in a position to accommodate those who are already asking admittance, at least ten new cottages of similar size would be required at once. Of these cottages one is needed as an infirmary, one for use as a school-house and chapel, one as an administration building, and the remainder as dormitories.

Suitable provisions should be made at once for the proper care of these two classes of unfortunate people, who have hitherto in our State been a burden to themselves and to society, without hope of relief. The subject is worthy the attention of the statesmen and legislators. The measure commends itself as wise and prudent, as economical, as just, and as humane.

### STATE FAIR.

The State Fair, established by an act of the Fortieth General Assembly, the location and management of which was charged to the State Board of Agriculture, is an institution worthy of liberal support and to which I would call your most careful attention.

The Board of Agriculture, after an inspection of the sites offered and a careful examination of all propositions submitted by the several cities, located the State Fair on a tract of one hundred and sixty acres adjacent to the City of Sedalia, of which one hundred and thirty-six acres, constituting the Fair Grounds, is conveyed directly to the State, and the remaining twenty-four acres is held in trust to be sold for the benefit of the State Fair Fund.

In making this location, the Board was largely governed by the central location of Sedalia, her splendid railroad communication with all parts of this and adjacent states, her greater population than that of competing cities, her electric railroad and two steam railroads running directly into the grounds, assuming ample facilities for handling an immense number of visitors, and conveniences in transportation of freight, a guarantee secured by bond that water mains and electric wires for light and power would be extended into the grounds, and by the beauty and adaptability of the tract offered for Fair purposes. It is estimated the value of the property, privileges and the interests secured to the State through the proposition made by the people of Sedalia and accepted by the Board, will exceed forty thousand dollars, which accrues to the State without other consideration than the permanent location and maintenance of the State Fair at that point.

The Board of Agriculture organized as a board of directors of the State Fair by electing Norman J. Colman, president; N. H. Gentry, vice-president; J. R. Rippey, secretary, and Chas. W. McAninch, treasurer. A State Fair Executive Committee, consisting of Messrs. Colman, Gentry, Maitland, Ellis, and Rippey, was placed in charge of matters pertaining to the State Fair grounds and the improvements to be made thereon.

The directory had at its disposal for equipment of grounds on the first day of January, 1900, \$8,226 that had accumulated in the Treasury to the credit of the Horse Breeders' Fund and \$425 in the State Fair Fund. During the year 1900 the revenues arising from the amended Breeders' bill amounted to \$8,986, making a total fund available for State Fair purposes of \$17,637.

It was evident that this fund was wholly inadequate to equip the grounds for State Fair purposes and that an exhibition of the State's products must wait until other funds were available with which to make improvements absolutely necessary.

But the committee, not discouraged, proceeded to expend the funds on hand in equipment of the grounds, and to the best possible advantage. Every precaution was taken to avoid mistakes and unnecessary expenditures. N. H. Gentry was selected as superintendent of grounds and construction of buildings. A civil engineer was employed to make a topographical survey of the grounds and locate and lay out the speed track. A competent architect was employed to draw plans and estimate cost of buildings. Geo. E. Kessler of Kansas City, landscape architect and engineer, was employed to draw plans and specifications for laying out, grading and otherwise improving and beautifying the grounds.

Four thousand dollars has been expended in grading the speed track. One barn has been erected for speed horses at a cost of \$1,850, another for exhibition horses, costing \$4,400, and a cattle barn costing \$3,540. These buildings were planned after examination of like buildings on other State Fair grounds and are well suited for the purposes intended. But what has been done is but a step toward proper equipment of a State Fair. The completion of the track, the erection of an amphitheatre, additional stables for horses and cattle, sheep and swine pens, poultry and dairy buildings are among the necessities that must be provided for.

Other states, some of which are not so populous as Missouri, and without her abundant sources of revenue, have found it profitable to establish and equip State Fairs costing from \$300,000 to \$500,000. These institutions, after being fully improved, are found to be self-supporting and are an encouragement and an advantage to industrial interests that would not now be dispensed with.

Missouri, with her superior herds of live stock, her varied agricultural, mineral and manufacturing interests will be no exception to this rule. An exploitation of her industries, of the versatility of her soil, and her unlimited resources will command the admiration of her people and attract the attention of capital, intelligent home-seekers and of purchasers of the products of our factories, our breeding establishments and our farm products from abroad.

A liberal appropriation by the Forty-first General Assembly is absolutely essential to an exhibition in 1901, and without such an exhibition, under the terms of the act establishing the fair, the realty and the improvements thereon will revert to the donor. Liberal appropriations that will enable the directory to erect substantial structures means permanent improvements that will stand for the use of the people of the State for generations to come, while a limited fund will result in temporary buildings that must be frequently renewed and are always discreditable.

The great industrial interests of this State may very justly demand the same recognition and encouragement accorded like interests in other states. Our farmers and live stock breeders, world-leaders in their profession, representing a high type of citizenship, reliable contributors to the State's revenues; patiently sharing the burdens of taxation, while asking but few favors, should be remembered in the creditable equipment of this institution. The superiority of our herds, the high character

and notable achievements of our live stock breeders and the excellence and almost unlimited variety of our agricultural products would be the pride of every Missourian when collected and placed upon annual exhibition. There can be no satisfactory reason why Missouri should not do for these material interests what other states have done for theirs. Your attention is invited to this institution, confidently relying upon your loyalty and devotion to the State's interest, for favorable and judicious action.

In this connection I will suggest that the State buildings erected at St. Louis World's Fair be so constructed of steel and planned as to be taken apart after the fair is over and be shipped to Sedalia for re-erection on State Fair grounds, and that the law providing for the State exhibits at World's Fair provide that they be sent also to Sedalia for our State Fair.

#### STATE FRUIT EXPERIMENT STATION.

Another of the varied products of Missouri is the fruit industry. Not many years ago fruits were regarded as little more than a luxury, now they are fast becoming a necessity and can be found on every man's table in some form as an article of daily diet.

During the past few years Missouri fruits have attracted the attention of the world by our heavy export trade and the numerous prizes awarded at the different expositions and World's Fairs. The fruit product has become an important factor in the commerce of Missouri and the industry has grown to such immense proportions that it requires official notice. The last Legislature for good and sufficient reasons enacted a law establishing a State Fruit Experiment Station, to be located in South Missouri, and under the provisions of that law I appointed three disinterested commissioners from other parts of the State, who after careful investigation of the advantages of many different places, located the Experiment Station at Mountain Grove, Wright county. The people there donated and deeded to the State a beautiful and appropriate farm of 190 acres, upon which the State, under the supervision of the trustees and manager of the institution, has erected two elegant frame cottages for the use of the manager and foreman, and one splendid experiment building of pressed brick; planted more than twenty acres of various kinds of fruits, and other improvements all at a very nominal outlay.

This is the only exclusive fruit experiment station in the United States and its possibilities and future prosperity are of incalculable benefit to the prosperity of Missouri.

It is a well know fact that home owners are always the best citizens, and that fruit growers are intelligent, moral, peaceful and patriotic.

This institution has made commendable progress under the fostering care of the present administration, and with the meager amount of State funds at its command has done well; however, it deserves and should have at the hands of the Forty-first General Assembly a good, appropriation for its support and maintenance.

Appropriations for this institution unlike other institutions should be regarded as an investment for the reason that it makes direct returns therefor by adding to the wealth of the State as a result of its experiments and investigations; by searching out new varieties of fruits adapted to this latitude; by improving on the ones we have, and encouraging their growth.

The State Fruit Experiment Station is destined to make horiculture easy and profitable, thereby converting the rocky hills, sterile ridges and thin lands of the Ozark Range into happy homes, and the country now largely covered with scrubby timber will be one immense orchard, supporting thousand of happy families and can of truth be called the land of the "Big Red Apple, the Yellow Peach and the Luscious Pear."

#### FRANCHISE TAXATION.

The objection to the payment of franchise taxes, as usually made, is that the corporations whose franchises are proposed to be taxed, have, within the limits of the taxing State certain tangible property, and that said tangible property must be valued as other like property; that upon such valuation alone can taxes be assessed and levied against corporate assets. But as has been well pointed out by the courts, the existence of intangible property is wholly ignored by this plea of the corporations, or, at least, they deny the liability of this intangible property to taxation. It has been well said, "In the complex civilization of today, a large portion of the wealth of a community consists in intangible property, and there is nothing in the nature of things, or in the limitations of the Federal Constitution which restrains a state from taxing at its real value said intangible property. \* \* \* It matters not in what this intangible property consists, whether privileges, corporate franchises, contracts or obligations. It is enough that it is property, which, though intangible, exists; it has value, produces income, and passes current in the markets of the world. To ignore this intangible property, or to hold that it is not subject to taxation at its accepted value, is to eliminate from the reach of the taxing power a large portion of the wealth of the country. Now whenever separate articles of tangible property are joined together, not simply by a unity of ownership, but in a unity of use, there is not infrequently developed a property, intangible though it may be, which in value exceeds the aggregate of the value of the separate pieces of tangible property." To illustrate: Suppose a street car system in a city yields six per cent. on ten millions of dollars of stock and bonds. Then the value of the stock and bonds would be at least par. And, suppose that the corporate, real and personal, tangible property of said corporation, consisting of the track, the trolly wires, the poles, power houses, etc., etc., was not worth to exceed four millions. Deducting the value of the tangible corporate real and personal property from the value of the property, in its unity of use as a street car system, there remains an income producing value of six millions of dollars, which, it is true, is intangible, but nevertheless yields a revenue: and this illustrates the proposition that in the unity of use of certain classes of property there is not infrequently developed a property, intangible though it be, which in value exceeds the aggregate of the value of the separate pieces of tangible property. If in the instance above supposed, the six millions of dollars of intangible value belonging to the street car company pays dividends, it certainly should be taxed, for whatever pays dividends should pay taxes, and whatever property is worth for purposes of income and sale, it should be worth for the purpose of taxation.

At this day to say that there can be no such intangible property as above mentioned, and that it is something of no value, is to insult

the common intelligence of every man. These facts being so, it remains to determine whether or not this class of intangible property is subject to taxation by the laws of Missouri.

#### OUR CONSTITUTION AUTHORIZES FRANCHISE TAXATION.

Section 4, Article X of the Constitution of Missouri, provides that "All property subject to taxation shall be taxed in proportion to its value."

Section 6, Article X of the Constitution, exempts certain classes of property from taxation, such as that of the State, counties and municipal corporations, cemeteries and lots in incorporated cities or towns, or within one mile of the limits thereof, to the extent of one acre, and lots one mile or more distant from such cities, or towns to the extent of five acres, with the buildings thereon, when the same are used exclusively for religious worship, for schools or for purposes purely charitable, and also such other property, real or personal, as may be used exclusively for agricultural or horticultural societies.

Section 7, Article X of the Constitution provides, "All laws exempting property from taxation other than the property above enumerated, shall be void."

Section 2, Article X of said Constitution, provides the power to tax corporations and corporate property shall not be surrendered or suspended by act of the General Assembly; and section 21 of Article X provides that nothing contained in this section shall be construed to prohibit the General Assembly from levying a further tax on the franchises of such corporations.

I refer to these general provisions of the organic law to show that in the absence of special exemption in the Constitution itself, every class of property in Missouri is subject to taxation. This being so, the only question remaining is whether or not provision has been made by the General Assembly for the method of assessing the tax and enforcing the collection thereof.

#### STATUTORY PROVISIONS.

Section 9118, R. S., 1899, provides, "For the support of the government of the State, payment of the public debt, and the advancement of the public interest, taxes shall be levied on all property, real and personal, except as stated in the next section."

The next section, referred to, simply quotes the constitutional exemptions heretofore noted. It has been claimed by creditable legal authority that under this statute, and the provisions of the Constitution, the class of intangible property known as corporate franchises, is subjected to taxation; but the method for ascertaining these values, and the distribution of said values among the different counties, cities or municipalities of the State, is left somewhat in doubt by the present provisions of the revenue law, and I deem it wise to suggest that the General Assembly enact laws subjecting specifically the different classes of franchises of the various corporations in this State to the payment of taxes, and provide specific methods for the enforcement thereof.

#### ALL FRANCHISES SHOULD BE TAXED.

All corporations should pay a franchise tax upon business transacted in Missouri, without reference to the place of their organization,

and most certainly no distinction or discrimination should be made against our own corporations in favor of foreign corporations in that regard. But in framing legislation for the taxation of these intangible values it should be borne in mind "that the essentials of a system of taxation are considered to be the collection of the necessary revenue for the State, at the smallest possible expense consistent with an equal and fair distribution of the burden. The interests of the people require a method of taxation at once equitable, effective and free from unnecessary oppression, one which will yield the requisite revenue, while subjecting them as little as possible to inquisitorial vexation, and which should be attended with the least expense for official services, and the fewest temptations to fraud, concealment and evasion." It is true that scarcely a single method of assessment of taxation is free from adverse criticism, and that in the light of the experience of centuries very few known general principles are fully and satisfactorily settled while bitter controversies arise upon apparently the most simple questions, and are waged with vigor and avidity as to matters both of substance and administration, as well on the most trivial as on vital points. But it is now well known that franchises are property, and should be taxed by some method in proportion to their value. But as the equality of taxation is the justice of taxation, care should be exercised in the levy of assessments, and collection of taxes against this class as well as all other classes of property whether belonging to a corporation or to individuals.

#### DIFFERENT LAWS FOR DIFFERENT CLASSES OF FRANCHISES.

It is obvious at a glance that the various classes of corporations possess different kinds of franchises, and this necessarily leads to the deduction that different methods of taxation for the franchises of the several kinds of corporate intangible property must be devised. If the corporate business is one of which the corporation has, as a public service agency, a substantial monopoly, a much heavier franchise tax could be readily paid than if the corporate business was one open to free competition between corporations and individuals, and in respect of which corporations would enjoy no special privileges or advantages.

To illustrate: A given tax on the corporate franchises of a street railway company, having a practical monopoly of the transportation facilities of a city, might be just, yet the same tax on a trading company, in the same city, with which every one might compete, would at once operate to the disadvantage of the commercial corporation. These are matters to be considered in enacting laws for the taxation of corporate franchises.

#### CORPORATIONS DOING INTERSTATE COMMERCE BUSINESS.

There are also embarrassing legal question that must be carefully looked after in the framing of laws for the taxation of franchises of corporations; and this is true particularly in dealing with the question of taxing the franchises of corporations, and of levying of taxes upon the capital stock thereof, which are engaged in interstate commerce business, and in this class of corporate franchise taxation care must be taken to avoid an unwarrantable regulation of interstate commerce,

in order to prevent clashing with the Federal Constitution. It is apparent at a glance that a large number of the most valuable franchises in any populous State will belong to corporations doing an interstate business.

The line of decisions on this question may be divided into two general groups: first, those in which a State law has been set aside as an unwarrantable regulation of commerce; and, second, those which uphold the legislation, notwithstanding it may have had an incidental effect or influence upon that commerce. Those in the first group may be considered instances in which a State imposes a burden upon the citizens of other states doing business with its territory from which its own citizens are exempt. Likewise the nature of the subjects upon which a tax is levied is sometimes sufficient to cover it with the cloak of Federal authority and protection, as where the State passes a law taxing freight transported over a railway without regard to whether it is carried beyond the State limits or not. The transportation of freight is a constituent part of commerce itself, demanding one uniform system of regulation, being national in its character, and is exclusively within the regulating control of Congress. Transportation of passengers or merchandise through a State or from one State to another is of a like nature. Also, a tax may be within the ban of Federal inhibition by reason of being a tax upon a business itself directly or upon its earnings, methods or agencies and which in their nature of an interstate commerce character.

In the second group are the cases that uphold the State tax upon the theory that the power to license is a police power, although it may also be exercised for the purpose of raising revenue.

Accordingly a statute has been held valid which imposed a tax upon the corporate franchise or business of every corporation or joint stock association incorporated or organized by the law of the taxing State or of any other State but doing business in the State levying the tax, and which said tax was computed by a percentage upon the whole capital stock of the corporation.

#### TO WHAT EXTENT FRANCHISES OF INTERSTATE COMMERCE CORPORATIONS ARE TAXABLE.

In the matter of taxing the franchises of corporations engaged in interstate commerce business, the question to what extent the intangible corporate franchises or privileges are subject to state revenue laws, has been before the Federal Supreme Court, and the lines marked out for State legislation by that great tribunal must be strictly followed in the imposition of taxes in the framing of any law hoped to be effective. To illustrate, the State of Massachusetts imposed a tax upon the Western Union Telegraph Company upon its property owned and used within the State, the value of which was ascertained by comparing the length of its lines within that State with the length of its entire line. The Federal Supreme Court declared the tax to be distinctly an excise law and upheld it; the tax was levied upon the capital stock of the company.

It would be well to remember in consideration of the question of the taxation of franchises that "the right or privilege of a franchise, as it may be termed, of being a corporation is of great value to its members and is considered as property, separate, and distinct from the property which the corporation itself may acquire."

The organic law of this State recognizes this franchise or privilege of being a corporation as property and makes it subject to special taxation.

In this connection, and upon the right to tax the franchises of foreign and domestic corporations, the utterance of the Federal Supreme Court will be interesting. With reference to this right of the state, that court said, "A state may impose a tax upon a corporation as an entity existing under its laws as well as upon the capital stock of the corporation and its separate corporate property. And the manner in which its value shall be assessed and the rate of taxation, however arbitrary and capricious, are mere matters of legislative discretion; except we may add, as that discretion is controlled by the organic law of the state. \* \* \* It is not for us to suggest in any case that a more equitable mode of assessment or rate of taxation might be adopted than the one prescribed by the Legislature of the state; our only concern is with the validity of the tax; all else lies beyond the domain of our jurisdiction. The granting of the rights or privileges which constitute the franchise of a corporation being a matter resting entirely within the control of the Legislature, to be exercised in its good pleasure, it may be accompanied with any such conditions as the Legislature may deem most suitable to the public interests and policy. It may impose as a condition to the grant, as well as also to its continued exercise, the payment of a specific sum to the state each year out of the profits or gross receipts of the corporation, and may prescribe such mode in which the same shall be ascertained as may be deemed convenient and just. There is no constitutional inhibition against the Legislature taking any mode to arrive at the sum, which it will exact as a condition to the protection of the corporation and for its continued existence. There can be, therefore, no possible objection to the validity of the taxes prescribed by the statutes of a state so far as it relates to its own corporations. Nor can there be any greater objection to the same tax upon a foreign corporation doing business by its permission, within the State. As to the foreign corporation—and all corporation in states other than the state of its creation are deemed to be foreign corporations—it can not claim the right to do business in another state to any extent unless subject to the conditions imposed by its laws. A state may exclude a foreign corporation entirely; it may restrict its business to particular localities and it may exact such security for the performance of its contracts with her citizens as in its judgment will best promote the public interests.

Only two exceptions to this right of exclusion are recognized; first, that a state can not exclude from its limits a corporation engaged in interstate and foreign commerce; the second exception is where a corporation is in the employ of the general government. Having, therefore, the absolute power, subject to the above exceptions, of excluding a foreign corporation, a state may impose such conditions upon permitting a corporation to do business within its limits as it may judge expedient; and it may take a grant of privileges, dependent upon the payment of a specific license tax, or a sum proportionate to the amount of its capital. No corporation can call in question the validity of any exaction which a state may require for the grant of its privileges. It does not lie in any foreign corporation to complain that it is subjected to the same law with the domestic corporation."

### TAX ON THE WHOLE CAPITAL STOCK.

If the amount of the taxes upon the corporation, where it does interstate business, is estimated according to the business or capital without the state, it might in some instances work a hardship, but the remedy would be that the tax upon a foreign corporation doing business in the state could be estimated upon only the capital employed within the state.

The capital stock of a foreign corporation doing business within this state is a proper subject of taxation in Missouri; provided, that the basis of assessment is not whole of the stock, but only that which stands for the amount of property owned and operated in our State and the Federal Supreme Court has decided that a state may impose taxes upon a foreign corporation existing as an entity under our laws, as well as upon its capital stock or its special corporate property.

### TWO LEGAL MEANINGS OF WORD "FRANCHISE."

In some states, the word "franchise" is used in two distinct senses first, a franchise that is taxed as property for the privilege enjoyed by a corporation to exercise certain powers derived from the State; and, second, a franchise which is the mere right to exist in corporate form, without reference to the powers that under that corporate form the company may exercise; and some of the states have taxed both of these so-called franchises, and the latter franchise tax is in substance a poll tax, levied upon a domestic corporation for the right to be or exist. Such a tax is not upon property or assets, and does not in any way concern the nature of the business the company may be authorized to carry on. This class of taxation has been approved by the Federal Supreme Court, and that court has said: "The state may impose taxes upon a corporation as an entity existing under its laws, as well as upon its capital stock, or its separate corporate property."

### METHODS OF LEGAL FRANCHISE TAXATION.

Thus far I have dealt with general principles, but these principles must be applied to bring practical results, and perhaps it may not be inappropriate to offer a few suggestions along the lines of practical legislative enactments.

Franchise taxation is often fixed by a standard which suggests the question whether in fact the tax is not really on the corporate property which might not always be valid. Therefore, the phraseology of the statute levying this class of tax is obviously of the highest importance. A brief study of the tax systems of the various states and countries designed to reach the intangible values, and subject the same to their proper proportion of the tax burden readily reveals that franchise taxes are levied in many different ways. On some classes of corporations it is levied by a tax on the percentage of the capital stock paid in. This kind of a tax law has been upheld in Massachusetts, and by the Federal Supreme Court. And a tax measured by the excess of the market value of all the corporate stock over and above the property otherwise taxable, has been held to be a franchise and not a property tax. Likewise, a tax on life insurance companies, measured by the value of policies in force, is held to be a franchise tax. A tax on a mining company measured by

the product mined, has been sustained; also a tax on net earnings. And a tax on the capital stock, as such, and a tax measured by dividends, have each been held to be a franchise tax, and valid. A franchise tax measured by dividends may be imposed, and may be adjusted to dividends made above a certain percentage.

#### SEPARATE FRANCHISE VALUE FIXED.

Again, in another class of corporations, it is sometimes attempted to fix the value of the franchise absolutely separate from the tangible corporate property. If this is done, it is better to establish some rule of law to be followed in ascertaining the value.

In some of the states the market value of shares of stocks and bonds, with the tangible, corporate, real and personal property deducted, is deemed to be the value of the franchise. This class of legislation would apply to water and light companies, and gas companies of this State, and perhaps the street car companies, and other similar corporations. To illustrate: If a gas company has corporate shares of stocks and bonds outstanding, at a market value of fifteen millions of dollars, and the corporate tangible real and personal property is worth five millions, then deducting the value of the real and personal corporate property, five millions, from the market value of the stocks and bonds—fifteen millions—would leave the franchise value of ten millions, to be assessed. If the class of corporate property that happened to be assessed in this way should be a street car line extending from one city through and into other cities or towns, then this franchise value could readily be apportioned upon a mileage basis, giving to each town or county, as the case might be, its proportionate share of the franchise value, based upon the mileage within the respective territorial limits of the county or city or municipality.

#### TWO GENERAL CLASSES OF FRANCHISE USING CORPORATIONS.

Perhaps the most natural division of franchise using corporations is into those, first, of a public service character, such as gas, water, telegraph, telephone, steam and street railroad companies, light and power companies; second, those not of a public service character strictly, such as banks, savings banks, institutions for savings, trust companies, insurance companies, etc., etc.

#### TRANSPORTATION AND TRANSMISSION COMPANIES.

All such corporations as telegraph, telephone, steam, surface and elevated street or electric railroads, steam, heat, express, ferry, navigation, palace and sleeping cars, fast freight, refrigerator and palace stock car companies, might be taxed for exercising their corporate franchises in carrying on business in Missouri, by the levy of an excise or license tax, equal to a certain per cent. of their gross earnings from their transportation or transmission business originating and terminating within this State, but excluding earnings derived from a business of an interstate character. This character of law would reach most of the larger franchise using corporations of the State. Gas, water works, heating, lighting and power companies might have an excise tax levied on their gross earnings, and a tax on a per cent. on dividends declared, or made on paid up capital stocks above a certain amount.

## GENERAL FRANCHISE LAW.

A general statute providing that every corporation, joint stock company or association organized under the laws of Missouri shall pay into the State Treasury an annual excise or franchise tax computed upon the amount of its capital stock within our State, at a given rate for each per cent. of dividends declared or made upon its capital stock each year, fixing an adjustable scale to be applied to those corporations declaring or earning dividends above or below a certain per cent. on the par value of their stock; and in cases where no dividend is made, fixing a certain rate upon the appraised capital employed within the State, and attaching to said enactment a provision that all foreign corporations exercising their corporate franchises in Missouri shall pay a like tax for the privilege of carrying on their business, computed upon the basis of the capital employed in the State, and then section exempting all corporations having a special statute for the taxation of their franchises from the provisions of this general enactment, would give a system that would practically reach all of the valuable intangible property of the corporations doing business in Missouri.

## TELEGRAPH AND TELEPHONE FRANCHISES.

It should be borne in mind that the franchises of telegraph and express companies are required to be taxed by section 9387, R. S. 1899; and that the State Board of Equalization has assessed the franchises of telegraph companies. There are many hundreds of miles of telephone lines in Missouri, however, that are untaxed, as I believe, at this time, and at least the franchises of said corporations are untaxed because no specific mode for the assessment and collection of such tax from these companies has been provided by the statutes.

## RAILROAD COMPANIES.

The difficulties of assessing lines of railroads which extend through many municipalities and many states in the same way that the property in general is assessed, are so great and apparent that in many states it is not attempted to assess them as other property is assessed, and a simple franchise tax is imposed as a substitute for other taxation. But in other states a railroad is listed, assessed and valued as an entirety, and the value then apportioned for taxation between the several municipalities by some standard prescribed by law, which generally is the length of line within the municipalities respectively. It has been said: "There is no constitutional objection to that method of taxing this species of property, and it is perhaps more just than any other." Our own Supreme Court, in 55 Mo. 378, distinctly laid down the above proposition, that an apportionment of the value of railroad property in the various counties or municipalities in this State, according to the length of line in each, which apportionment should be based upon the value of the entire property, was a perfectly fair and constitutional method of assessment. The Constitution of this State, section 5, article 10, provides that "All railroad corporations in this State, or doing business therein, shall be subject to taxation for State, county, school, municipal and other purposes on the real and personal property owned or used by them, and on

their gross earnings, their net earnings, their franchises, and their capital stock."

It will be seen that the framers of the Constitution and the people in adopting that instrument, intended that the fullest latitude should be given the General Assembly in its power to levy taxes upon the great franchise using railroad corporations of the State. This power, however, should not be abused, so as to result in discrimination against this class of property, and I have no reason to believe that it will be. On the other hand, the railroad corporations of this State should pay on a fair valuation of their property. I do not say that they have not borne their share in proportion to the taxes paid by other classes of property, but I do say that the railroads, as between themselves, should be so taxed as that the taxation will be uniform upon similar classes of property.

The method of assessing railroad property by ascertaining the entire value of the whole road, and then apportioning it upon a mileage basis to each state, in proportion to the number of miles in each commonwealth, has been sustained by the highest court of the land, and as above indicated, our Supreme Court has said that the apportionment of the value of the road bed of the railroad, according to the ratio the number of miles assessed should bear to the whole railroad, is a uniform and just manner of making the assessment. It is well known that "the value of the road-way at any given time is not the original, nor 'a fortiori,' its ultimate cost after years of expenditure in repairs and improvements. On the other hand, its value can not be determined by ascertaining the value of the land included in the road-way assessed at the market price of adjacent lands, and adding the value of the cross ties, rails and spikes. The value of land depends largely upon the use to which it can be put and the character of the improvements upon it. The assessable value for taxation of a railroad track can only be determined by looking at the elements on which the financial condition of the company depends, its traffic, as evidenced by the rolling stock, the gross earnings, in connection with its capital stock. No local estimate of the fraction in one county of a railroad track running through several counties can be based upon sufficient data to make it at all reliable, unless, indeed, the local assessors are furnished with the means for estimating the value of the whole road."

It is apparent that this method of assessing a railroad corporation upon the mileage basis includes the assessment of all its corporate franchises, and the distribution thereof uniformly over the entire system. This brings equality of taxation, and therefore it brings justice of taxation.

The State of Pennsylvania devised a taxing system, with reference to taxation of sleeping cars, which very fairly illustrates the principle upon which a foreign transportation company transacting its business into and through our State, may be equitably taxed, and such method upheld by the courts. The principle announced by that tax system, and sustained in the court, was that the State may tax the cars of a foreign sleeping car company employed in interstate commerce, and run into and through a state, and may ascertain the proportion of the property of such company upon which a tax should be placed by taking as a basis of assessment such proportion of the capital stock of the company as the number of miles over which it runs its cars within the State bears to the whole number of miles in that and other states over which its

cars are run. It will be noticed that this method of taxation contemplates a valuation of the property and franchises of a corporation considered as a unity in use, and then distributes that value upon a mileage basis in the state imposing the tax, and as the total value of the entire corporate property includes the value of all corporate franchises it may possess, this method, it will be readily seen, taxes on an absolute basis of equality the value of the franchise in the taxing state.

#### FOREIGN FREIGHT CAR COMPANIES.

I wish to call the attention of the General Assembly to the fact that a statute enacted for the taxation of foreign freight car companies operating independently from the railroad companies, was sustained by our Supreme Court in all its parts except as to the rate of taxation, which the court held to be in excess of the constitutional limit, and therefore inoperative, and I suggest that proper legislation be had to correct this defect in the law, in order that it may be enforced, and the fast freight lines, refrigerator and palace car companies doing business in, through and out of our State be taxed on their property in proportion to its value.

Perhaps my remarks have been somewhat general on this question, and more extended than I might have wished, but the apology for the number of suggestions made is the importance of the subject, and in conclusion I would say that it will be found, on investigation, that most of the suggestions incorporated herein have been tried, and will be found imbedded in the tax systems of our sister states. Many of the largest corporations of this and other great states are those whose business extends from one state into many others, and it has long been a difficult problem as to how to fairly and equally tax such corporate interests so that the same might bear their just proportion of the taxes for the protection they receive, and be placed upon a plane of absolute equality in taxation matters with the individual and domestic corporations.

I beg to say, in these taxation matters, it is well to remember that it is perhaps unwise to trust too far to a theory upon which no light has been thrown by experience, and possibly it is better to follow, as far as consistent, the beaten path where it has led to satisfactory results, rather than mere rules which may involve us in confusion and difficulties. One of the striking things that will impress a person who investigates taxation questions is the fact that the enforcement of tax laws are so difficult, and it is equally obvious that a remedy for this is the proviso that the taxing power, both to assess and to collect, should be placed in a strong, centralized, administrative body, which shall have full authority to correct all abuses, and prevent inequality, and stringently enforce the laws relating to assessment of taxes and the collection thereof. Such a body, constitutionally organized, is our present State Board of Equalization, which exists under the provisions of section 18, article 10 of the State Constitution, and has by that instrument conferred upon it the power to adjust and equalize the valuation of real and personal property among the several counties in the State. It is apparent that the fixing of the values of corporate franchises for taxation and the enforcement and collection of taxes thereof, should be placed in the hands of the State authorities, and should, in my judgment, be given alone to the elective State officials, who are directly responsible to the people for their official acts.

Of course in order for the State Board of Equalization or any other body, in which is lodged the power to levy and collect the class of taxes herein mentioned, to do its work well, such body, or its authorized agents, must have complete power to examine the business, books and records of all corporations doing business in Missouri when necessary or desirable so to do.

And aside from the mere matter of taxation some State official or officials ought to have power to investigate the business and records and acts of all corporations in order that the public might be more amply protected in dealing with them, and so that said corporations may be kept from violating the laws of the State.

## RECOMMENDATIONS.

### CONSTITUTIONAL CONVENTION.

On coming into the office of Governor, and in my biennial message, I gave my views on the subject of a constitutional convention; and now on retiring from office, I desire in a business way and as briefly as possible to direct your attention again to the subject.

Since uttering those views many of the able men of the State, including lawyers and judges, have found and called my attention to many defects and shortcomings of the present instrument, and have convinced me that the question of calling a constitutional convention is of sufficient importance to merit your serious consideration at this time.

Referring to some of the objections which are often discussed regarding the present instrument, my attention has been called in the first place to the different kinds of oaths that are administered to different officers in this State. For instance, when a member of the Legislature comes forward to be sworn, he is required to take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Missouri, and faithfully perform the duties of my office; and that I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law." (Section 15, article IV, Constitution of Missouri.) Under that section and in this language "any member of either house refusing to take said oath or affirmation, shall be deemed to have thereby vacated his office, and any member convicted of having violated his oath or affirmation, shall be deemed guilty of perjury, and be forever thereafter disqualified from holding any office of trust and profit in this State."

On the other hand, when we turn to section 6, article XIV, of the Constitution to find the oath of office required of other officers in this State, we find this provision: "All officers, both civil and military, under the authority of this State, shall, before entering upon the duties of their respective offices, take and subscribe an oath, or affirmation, to support the Constitution of the United States and of this State, and to demean themselves faithfully in office."

You will observe that at the end of this section there is no statement made as to the failure of the officers therein named to take such official oath, as in the case of a member of either house; nor is there any provision in section 6, article XIV, that any officer convicted of having violated his oath, or affirmation, shall be deemed guilty of perjury.

Why this distinction? What was its object end and purpose? was it because of a distrust felt by the framers of the Constitution for the legislative branch of the government?

The present Constitution also provides that appropriations shall be made in a certain order. Experience has demonstrated that such appropriations never have been and never can be made in that order, and consequently that provision of the Constitution is violated daily and hourly when the Legislature is in session, and everybody knows it.

Another feature of distrust as to the popular branch of the government, to wit, the Legislature, is shown in limiting the time during which a revision session of the Legislature is to be held. That, the Constitution limits to 120 days. It is impossible, as experience has demonstrated in 1879, in 1889, and 1899, to successfully act as a body of revisers of a code of laws in that time.

Other shortcomings of the present Constitution call for further comment.

As I understand, under that instrument, no man can be punished for any crime unless it is ascertained beyond a reasonable doubt just in what county that crime is committed. If on a railroad train, going at twenty-five to forty miles an hour, a man is murdered during the night, though he is seen murdered by a crowd of witnesses, the murderer will go free unless it can be shown beyond a reasonable doubt just within what county lines his crime was committed. Every lawyer and court knows this to be true.

Under the present Constitution there is no existing authority by which we can raise sufficient money by taxation to inaugurate and to build a system of macadamized roads throughout the State, so that all these "Good Roads Conventions" come to nothing so long as the Constitution remains as it is. Their good intentions do not supply the funds requisite for the work. Good macadamized or turnpike roads have been aptly termed the "farmers' railroads," and it is worse than the abuse of the functions of government to tax these farmers to work dirt roads, which work is almost or totally useless, when by a comparatively small amount of money permanent roads could be built which would only require a slight cost for annual repairs. This State owing to its importance, its population, its desire to make progress in everything material to prosperity, demands we have a system of turnpikes so extensive and complete, that a man could get in his wagon at Kahoka in Clark county and drive down to Pineville in McDonald county, without getting off the pike road. But such a consummation, devoutly to be wished, will never be witnessed by this or any subsequent generation so long as Missouri is kept in the swaddling clothes of an infant or in the straight-jacket of a madman.

A provision also is needed in regard to criminal costs in this State. The people all the time are taxed not only to pay enormous criminal costs, but a large per cent. of those costs are not allowed by law; and so far as the prosecuting attorneys are concerned, each prosecuting attorney is made judge in his own case, to pass upon the amount of his own fees and to certify thereto. It is true, the judge of the criminal or circuit court may revise and correct his work, but everybody knows that this is too infrequently done.

Eminent lawyers tell me, reform is badly needed in the judicial system in this State, and that a more cumbersome, unwieldy judicial system does not exist in any state in this Union.

The judges of the St. Louis Circuit Court and the St. Louis Court of Appeals get \$5,500 per annum for their salaries; the judges of the Supreme Court get \$4,500 for theirs; while the judges of the Kansas City Court of Appeals get only \$3,500 for theirs, and the circuit judges in other cities outside of St. Louis get from \$3,000 to \$3,500 salary; while out in the rural districts circuit judges, who do as much business as those in the cities, get but \$2,000 per year. Why this distinction?

Again: Frequently a judge's circuit is cut by the dividing line between the territory of the Kansas City Court of Appeals and the territory of the St. Louis Court of Appeals. The result is that on the west side of his circuit he follows the rulings of the Kansas City Court of Appeals, and on the east side of the circuit he follows the rulings of the St. Louis Court of Appeals, although those rulings may be diametrically opposite to each other.

The Constitution in regard to the jurisdiction of the Supreme Court gives constant trouble, in this particular: It provides amongst other things that the Supreme Court shall have jurisdiction in all cases involving title to real estate, and as to what this provision means has been a constant bone of contention since the Constitution went into force.

But it is unnecessary to go over in detail all the objections urged against the present instrument to which my attention has been directed. Every amendment, and they have been numerous and always will be numerous until the people get the redress that they want by having a Constitutional Convention called, is a confession in open court, it seems to me, that the present instrument is insufficient to meet fully the demands of the people. Not that I am willing to see any of the safe-guards which the present Constitution contains thrown down, but leaving them stand, there is ample room for provisions which are as much needed as the most conservative provisions that instrument now contains.

It is true that amendments could be submitted to cover such deficiencies as at present exist, but a Constitution is very much like a coat—whenever it gets so that it has to be patched all over it would be better to get a new coat.

In the event of calling a Constitutional Convention, the proposition of whether the people desire to hold a Constitutional Convention is to be voted on first. Then if it is decided to hold a Constitutional Convention, an election is to be held for that Convention on the proclamation of the Governor. Then after the Convention has done its work the people still have a say-so as to whether that Constitution shall be adopted or not.

#### INITIATIVE AND REFERENDUM.

I submit for your earnest consideration whether, either our organic or statutory law should not be so amended as to reserve directly to the people, both the power to initiate and the right to have referred to them for their ratification, or rejection, matters of important legislation.

It may be objected that to apply the initiative and referendum to every minor legislative act would be too expensive and cumbrous. In deference to such objectors and in a spirit of conservatism and caution the system might be adopted embracing only such important acts as involved grave interests of the people. Having thus instituted the

system and put it to the test it could be extended from time to time as wisdom and experience might dictate.

Such a method of legislation would tend largely to limit the evil practices of boodlers and bribe-givers. They would hesitate to spend their money corrupting the representatives of the people if they knew that any law which they might procure to be enacted could not become operative until the people themselves had ratified it.

It is at least doubtful whether the system is not a necessity to the continued existence of our free institutions. The tendency of the times is toward a concentration of both all wealth and all power in the hands of a favored oligarchy. To prevent this the people themselves must hold the reins of government. Mr. Jefferson has well said: "The further the departure from direct and constant control by the citizens, the less has the government of the ingredient of republicanism."

#### A NEW LIBEL LAW.

The reckless and vituperative abuse of public officers, not only in their public but in their private lives, has become a crying evil of the times, and the passage of some law which will protect the officer and at the same time secure to the public the fullest measure of right to report the acts of public officials, comment upon such acts and fairly criticise them, is peculiarly demanded at this time at your hands.

Our Constitution (sec. 14, art. II) provides: "That no law shall be passed impairing the freedom of speech; that every person shall be free to say, write or publish whatever he will on any subject, being responsible for all abuse of that liberty," etc. Our Statutes (sec. 2259, R. S. 1899) define a libel as follows: "A libel is the malicious defamation of a person made public by any printing, writing, sign, picture, representation or effigy tending to provoke him to wrath or expose him to public hatred, contempt or ridicule, or to deprive him of the benefits of public confidence and social intercourse or any malicious defamation made public, as aforesaid, designed to blacken and vilify the memory of one who is dead, and tending to scandalize or provoke his surviving relatives and friends."

A half century ago, comments on government, officers of State or members of Legislatures or judges and other public functionaries, were punished not only by private libel suits but also by public prosecutions. Gradually the stringency of this rule has been relaxed, so that it is now said: "Every one has a right to comment on matters of public interest and general concern, provided he does so fairly and with an honest purpose. Such comments are not libelous, however severe in their terms, unless they are written intemperately and maliciously. Every citizen has full freedom of speech on such subjects, but he must not abuse it." It has also been well said: "True criticism differs from defamation in the following particulars: (1) Criticism deals only with such things as invite public attention, or call for public comment. It does not follow a public man into his private life, or pry into his domestic concerns. (2) Criticism never attacks the individual, but only his work. Such work may be either the policy of a government, the action of a member of parliament, a public entertainment, a book published, or a picture exhibited. In every case the attack is on a man's acts, or on something, and not upon the man himself. A true critic never indulges in personalities, but confines himself to the merits of the subject-matter. (3) True criticism never imputes or insinuates dishonorable motives (unless justice abso-

lutely requires it, and then only on the clearest proof). (4) The critic never takes advantage of the occasion to gratify private malice, or to attain any other object beyond the fair discussion of matters of public interest, and the judicious guidance of the public taste. He will carefully examine the production before him, and then honestly and fearlessly state his true opinion of it."

It has also been aptly pointed out: "The distinction can not be too clearly borne in mind between comment or criticism and allegation of fact, such as that disgraceful acts have been committed or discreditable language used. It is one thing to comment upon or criticise, even with severity, the acknowledged or proven acts of a public man, and quite another to assert that he has been guilty of particular acts of misconduct."

\* \* \* "But all comments must be fair and honest. Matters of public interest must be discussed temperately. Wicked and corrupt motives should never be wantonly assigned. And it will be no defense that the writer, at the time he wrote, honestly believed in the truth of the charges he was making, if such charges be made recklessly, unreasonably and without any foundation in fact." "Every subject has a right to comment upon the acts of public men which concern him as a subject, if he do not make his commentary a cloak for malice and slander." In New York, Massachusetts and West Virginia no attack is allowed even on the public character of any public officer, and it is no defense that the defendant honestly believed in the truth of the charge. But even in the other states, where an attack upon a public officer is placed upon a different footing from a similar attack upon a private citizen, it is the rule that the attack must be upon the act, not upon the man, and must not be couched in intemperate language, and must not be made a cloak for malice or slander.

I heartily indorse the freedom of speech secured by the Constitution and subscribe to the definition of a libel given by our Statute, but it is imperatively necessary at this time to enact suitable laws to adequately and swiftly curb and punish the abuse of the privilege of free speech. Our Statutes are defective or rather entirely without a prescribed remedy in this regard. It has become the practice and stock in trade of some people to abuse, malign, slander, libel, ridicule and insult every officer, not only as to his public acts, but also in respect to his most sacred private life. The language employed is often gross, indecent and the most repulsive billingsgate. The old remedy of holding the author to personal account seems to be no longer deemed proper or available. The only remedy now provided by law is a libel proceeding, civil or criminal, or both. The results in such cases have not proved adequate. The common juries have not yet progressed with the enlightened policy of the law, and the damages awarded, even when the defendant has been adjudged guilty, have not been sufficient to compensate the person libeled for his loss of time and money in the prosecution of the suit, nor to punish the libeler severely enough to deter him or others from repeating the offense. In fact the damages awarded have nearly always been so absurdly small as to cause the libeler to say that the jury found that he was guilty of libel but they also found that the plaintiff had so little character to lose that the jury only assessed his damages at a nominal sum. Thus the present law is inadequate to protect the officer or to keep libelers within legal bounds. If one moiety of what has been said against public officers is true, they should be in the penitentiary and not in office. If it is not true, such officers have had to suffer a grievous wrong because there is no adequate

remedy provided by law to punish or deter reckless and wanton persons for untrue and villainous attacks that have been made by those whose souls are so unclean and whose consciences are so blunted that they rejoice with ghoulish glee over the assassination of the good names of those whom the people have chosen for their rulers—the while snarling with devilish hatred because the people, knowing their unworthiness, would not elect them to any place of public trust or confidence. It is such human vultures that need to be exposed and punished.

I would suggest that it should be the duty of every judge when empaneling a grand jury to call their attention to any charges that have been published or circulated affecting the acts of any public official, whether official or private, and to direct the grand jury to investigate such charges and if they were found to be true to indict the officer charged, but if the charges were not found to be true, then to indict the person making the charge for libel or slander, and to make the offense of labeling or slandering a public officer a felony punishable by imprisonment in the penitentiary not less than ten nor more than fifty years. This would speedily root out unfaithful public officers, and at the same time would put a stop to the shameless and disgraceful fashion of the hour in some quarters of recklessly and wantonly charging every public officer with misfeasance, malfeasance and corruption in office, and of being an offender against every canon of the criminal and moral laws. In this way the freedom of speech secured by the Constitution would be preserved to the honest, law-abiding citizens who have a decent respect for the rights and reputation of others, while faithless public officers would be quickly discovered and punished, and at the same time the human ghouls in society would be punished for their abuse of the freedom of speech, and be put where they could not harm other people and society in general.

#### BANKING BUREAU.

I desire to urge you again to give the matter of the establishment of a Banking Bureau in Missouri your careful consideration. Two or more Governors have called the attention of the General Assemblies to the importance of this legislation. The banking laws in Missouri as they now stand are crude and far from perfect. Banking supervision, when left in the charge of a State officer, who has already all the work he ought to be expected to do, in meeting the legitimate demands upon him, can not but be of secondary importance to him and more or less of a farce. The Bank Commissioner to be placed at the head of this bureau should be a trained business man, and should be appointed by the Governor. The office should be removed as far as possible from politics.

As I stated in my message to the Fortieth General Assembly, in January, 1899, all expenses of the Banking Bureau should be met by a tax, levied in proper form on the institutions committed to the management of the Commissioner. The total resources of the banks and the building and loan associations of the State at that time were \$134,174,453.31. An annual tax upon these resources of about one-sixty-sixth of one per cent. would raise enough revenue to pay the following salaries of officers, and all other expenses of the Bureau:

|   |          |
|---|----------|
| Commissioner, per annum.....                    | \$3,000  |
| Chief clerk, per annum.....                     | 2,000    |
| Three book-keepers, per annum.....              | 3,600    |
| Three bank examiners, per annum. ....           | 4,500    |
| Two building and loan examiners, per annum..... | 3,000    |
| Stenographer, per annum.....                    | 900      |
| All other expenses.....                         | 3,000    |
| Total per annum.....                            | \$20,000 |

There is no more reason for the Banking Department being in the office of the Secretary of State, it matters not how successful a business man the Secretary may be, than for it being in the Geological Department, the Insurance Department, or in the Penitentiary.

It is to be hoped by not only bankers themselves, who favor the most rigid inspection laws, but their patrons as well, who constitute a very large per cent. of our population, that this General Assembly will appreciate the importance of the suggestions coming from three or more Governors along these lines, and will enact a proper law establishing a Banking Bureau which the Governor will place in proper hands.

To this end I invite your careful attention and endeavor.

#### BOARD OF PARDONS.

I had the pleasure of recommending to your honorable body two years ago the passage of a measure looking towards the relief of the Governor in pardoning matters. I thought at that time a Board should be created to examine all applications for pardon from the penitentiary, jails, workhouses, and for the remission of fines imposed; having had more experience I am now more thoroughly convinced than ever that such a law should be spread upon our Statutes. One or two Governors before me have made similar recommendations, as has our "Board of Charities and Corrections." I have endeavored to deal as patiently as my time would permit with those presenting applications for executive relief, but often on account of pressure of other important matters my immediate attention could not be given to these appeals. There are now on file in this office perhaps fifteen hundred petitions for clemency, and it can be readily seen that all can not be examined unless other duties of the department are neglected. There are no doubt many meritorious cases among this number that should be given the consideration they deserve, and I therefore recommend again that you create what is commonly known as a "Board of Pardons," or "Board of Recommendations."

The Constitution authorizes the Governor to exercise the pardoning power, and the passage of this measure would not divest him of this prerogative. The Board could only be empowered to examine into the merits and demerits of all applications for pardons, remissions of fines and commutations of sentence, and report their findings and recommendations to the Executive for his consideration and action.

Such a Board as I have suggested has been established in Maine, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, Ohio, Pennsylvania, Utah, Washington, Louisiana, Kansas, Illinois, Florida, Connecticut, Colorado, and, if I am not mistaken, in several other states. A bill establishing such a Board, submitted to the last Gen-

eral Assembly, known as the "Miller bill," passed the Senate almost unanimously, but lacked a few votes of getting a constitutional majority in the House.

#### IMPROVEMENT OF PUBLIC ROADS.

The subject of public roads—how to make and maintain them of a satisfactory and substantial character—directly concerns every citizen of our State, and the almost universal agitation of this question throughout the country indicates that farmers and business men generally realize the urgent necessity of prompt and energetic efforts for the improvement of our public highways. While our Revised Statutes contain over three hundred sections devoted to road laws, there is a manifest lack of uniformity in their application. The demand for a general and comprehensive system for road-making and road-improvement is so pressing as to suggest the advisability of such legislation at this time as will, eliminate existing contradictory provisions and indicate a specific plan comprehensive and uniform in its application, for the speedy betterment of the public roads. The means now available for road construction, if systematically and judiciously applied, would soon produce noticeable improvement in the public roads throughout Missouri.

#### ST. LOUIS STREET RAILWAY STRIKE.

Early in 1900 a dispute arose between the St. Louis Transit Company and its employes over wages, hours of labor and other matters, which threatened to culminate in a strike of the employes of said company, but on March 10 an agreement was entered into which appeared to amicably adjust the differences between the parties directly interested. Soon thereafter a movement was started to organize the employes of said company into what is known as the "Amalgamated Association of Street Car Employes of America." Upon the refusal of the officers of the Transit Company to comply with certain demands made by the members of the association, chief among which was the formal recognition of their union, a general strike was ordered by the officers of the association on May 7.

Prior to the agreement of March 10, in accordance with the provisions of existing arbitration laws, Labor Commissioner Thomas P. Rixey tendered his services as mediator of the dispute, but was assured that the parties interested would be able to reach a satisfactory adjustment without assistance. When the strike was declared on May 7, Mr. Rixey again endeavored to have the differences between the Transit Company and its employes arbitrated, but was answered by the officers of the company that as there was no dispute between it and its (then) present employes, it had nothing to arbitrate. A citizen's committee, composed of prominent business men, was formed for the purpose of effecting a settlement of the differences between the Transit Company and its striking employes, but did not succeed. Approximately 3,000 street car employes were engaged in this strike, which continued for a considerable time. It was estimated, the company lost about one million dollars, the employes about two hundred and fifty thousand dollars, and the business interests of St. Louis and the surrounding country several millions of dollars, through obstructed and diverted trade, not taking into consideration the loss to the reputation of the city and the State. During the existence of this strike considerable lawlessness prevailed, resulting in the death of fourteen

persons, the wounding of many more and the destruction of much property. Urgent and repeated appeals were made to me by the officers of the city of St. Louis and others more or less interested to order out the State Militia to suppress the disorder; but believing that the police powers conferred upon the municipal officials, if properly invoked, were fully equal to the suppression of all lawlessness and the restoration of peace and good order, and that military force should only be applied as a last resort, I persistently refused to order out the militia. The Police Board and the Sheriff, through an increase of their forces, restored order and business gradually assumed its normal condition. This strike demonstrated the insufficiency of our present arbitration laws. The general public is concerned in all disputes between employers and their employes and this is especially true where the employer is engaged in conducting a public utility the interruption of which interferes with the pleasure, convenience or material interests of the public. The consensus of intelligent public sentiment favors the settlement of all such disputes between employers and their employes by arbitration. Many of the states now have arbitration boards whose efforts appear to result very satisfactorily to all concerned.

Your attention is respectfully directed to this subject with the confident belief that you will give it such consideration as its importance merits.

#### BOARD OF EMBALMING.

Commencing with the May meeting, 1897, of the State Board of Embalming, 163 licenses have been granted undertakers to practice the art of embalming, and to this date there are altogether in the State 327 embalmers of good standing.

In the month of January, 1898, the Board met with the State Board of Health, and after conferring and investigating the probable advantages that a co-operation of the two Boards would be to the good of the public health, they agreed to a joint shipping paster and adopted the rules of the State Board of Health and the American Association of General Baggage Agents for the transportation of the dead.

This Board has been conducive to much good by practically running quack embalmers out of business, and it is hoped their splendid work will receive encouragement at your hands.

#### BOARD OF EXAMINERS OF BARBERS.

During the Fortieth General Assembly you created by enactment a Board of Examiners for Barbers, and in accordance therewith I appointed three representative barbers members of that Board, who qualified on August 26, 1899. From that date until January 1, 1900, there were issued in St. Louis, Kansas City and St. Joseph 2,440 licenses, and from January 1, 1900, to December 1, 1900, there were issued in said cities 2,108 licenses.

The Board reports that the efficiency and workmanship of barbers throughout these cities have improved to a marked degree, and as this is strictly a sanitary measure, and designed to serve the best interests of the people, it is their opinion, and that of the better class of barbers, that the law should be so amended as to apply not only

to the cities of St. Louis, Kansas City and St. Joseph, but to the entire State, and should be strictly enforced.

#### RAILROAD AND WAREHOUSE COMMISSION.

At the session of each Legislature for years past, bills have been introduced in the House and Senate to repeal the law and abolish altogether the office of Railroad and Warehouse Commissioners, while others have been introduced modifying the law by placing the office in control of one commissioner instead of three. From time to time these bills have received at the hands of the Legislature no little attention, and the questions involved are developing into much importance. I have never thought the burdens and duties of the office commanded the entire time and attention of the three commissioners, and since the department has come under my immediate observation I have become convinced that one commissioner can perform the duties required as well if not better than three. An appropriation of \$26,600 is made every two years for the salaries and expenses of the Commissioners, Secretary, and for the contingent expenses of the office, while one-half that amount could be made to serve the purposes.

I do not believe there is any more necessity for three Railroad and Warehouse Commissioners than there is for three officers at the head of any other State Department. I would, therefore, recommend that your honorable body amend the law so that at the expiration of the terms of the present commissioners, one commissioner shall be appointed by the Governor, for a term of four years, at a salary of \$3,000 per annum, with necessary clerical force and contingent expenses.

#### GAME AND FISH LEGISLATION.

I am heartily in favor of more stringent game and fish laws. At present our Statutes upon this subject give us but little protection, and unless something is done to prevent the wholesale dynamiting of the fish in our streams, and the slaughtering of our game in the woods and upon our prairies, there will soon be no occasion for any legislation upon the question at all. The State Game and Fish Warden, Hon. A. J. D. Burford, has proved a most efficient officer, but he has been handicapped in the enforcement of the laws as they now stand, by the absence of funds. Since his incumbency he has caused many arrests to be made, and has secured convictions in various counties of the State at his own expense.

Several states in our immediate neighborhood have laws providing for the collection of good fees, in case of conviction of violation of the law which go into the State Treasury, subject to the disposal of the State Warden. These fees are used for the defrayal of expenses incurred in enforcing the laws. In Arkansas a license of \$25 is imposed upon foreign pothunters and professional market men. Should this kind of a law be adopted in Missouri all these license fees and those resulting from convictions would enable the Warden to successfully and fearlessly enforce the laws without cost of any kind to the State.

#### PAN-AMERICAN EXPOSITION.

Without any express authority of law, but at the request of the management of the Pan-American Exposition, to be held at Buffalo, N. Y., in 1901, I have appointed a number of gentlemen and ladies to

serve as commissioners to prepare and arrange an exhibit of the resources of Missouri at such exposition. The commissioners thus designated at once organized by the election of Hon. Alex. G. Cochran of St. Louis as president; Chas. W. Green of Brookfield as vice-president; Robert M. Yost of St. Louis as secretary, and Wm. B. Thompson of St. Louis as treasurer. Frequent meetings were held during the summer, and I was kept advised of the progress of the work. Though without a dollar of appropriation the commissioners have collected a large and splendid exhibit of the agricultural and horticultural resources of Missouri and have in process of collection many exhibits of mines, manufactures, live stock, educational facilities, arts and sciences, etc.

The management at Buffalo meanwhile had designated upon my recommendation, Ex-Gov. David R. Francis of St. Louis and J. J. Swofford of Kansas City as vice-presidents of the Pan-American Exposition, and Mrs. A. M. Dockery of Gallatin, and Mrs. J. H. Cutten of Jefferson City, to represent Missouri in the department of Woman's Work.

The Missouri commissioners have conditionally contracted for space at the exposition and have their work otherwise in a condition of progress which now requires an appropriation of money by the State to perfect it.

I therefore recommend an appropriation for that purpose. The Pan-American Exposition should be especially utilized by Missouri as an advance agent of our World's Fair of 1903, and it would not look well for us—of all states in the Union—to make a poor or beggarly showing before the nations of the earth that will have representatives at Buffalo. I urge this subject upon your immediate attention because the Pan-American Exposition will open May 1, 1901, and there is not a day to be lost if Missouri is to have proper and adequate representation. The character and standing of the commissioners I have appointed are abundant security that any money appropriated will be wisely and economically expended by them.

At the last session a bill appropriating \$25,000 passed the Senate by practically a unanimous vote, but having been introduced quite late, failed to reach the House.

#### MONUMENT TO JUDGE WILLIAM SCOTT.

Missouri has produced many, able, incurrutable judges, and we are justly proud of the judicial history of the State, and especially of the opinions of our Supreme Court. In no other branch of civil service is the demand so great for arduous continuous thought and labor, and in proportion to the service rendered in no branch is the compensation so unsatisfactory. We expect and demand that our judges shall be able, clean and honest, and yet on account of salaries we pay them they invariably die without a competence when they retire from office; or if they die in office, their families are left in need.

This leads me to call your attention to a fact which the bar of the State have for several years lamented. Among the names of the judges whose learning has enriched our Supreme Court Reports none is honored more than that of Judge William Scott. Indeed, it is not considered any disparagement of the other great judges to say that it is the concensus of opinion that Judge Scott stands at the head of the list of our Supreme Judges in the estimation of his successors on the bench, and the leaders of the Bar of the State.

Judge Scott was born in Fauquier county, Virginia, June 7, 1804. He came to Missouri in 1827 and settled at Old Franklin. In 1834 he was appointed circuit attorney for the judicial district east of Jefferson City, and made his home at Union. Upon the resignation of Judge McGirk, in 1841, Judge Scott was appointed to the Supreme Bench. He was the friend and associate of Leonard, Ryland, Napton, Ewing and Richardson on the bench—at a time which has been denominated, “the golden age” of the Supreme Court of Missouri.

Judge Scott served the State as judge of the Supreme Court for about eighteen years. He died in 1862 and was buried on his farm about eight miles west of Jefferson City on the Boonville road. His farm subsequently passed out of the ownership of his heirs, and to-day is occupied by tenants. His grave is now in a horse lot, uninclosed by a fence or other protection and the stock trample upon it with impunity.

Missouri owes too much to this distinguished son and great jurist to permit this condition of things to longer exist. I therefore recommend that you provide for obtaining the consent of his family to the removal of his remains to the State's lot in the Cemetery at Jefferson City, and that you appropriate a proper sum to erect a suitable monument over his grave. A people which takes no pride in its ancestors and great men can never hope to accomplish anything of which its descendants will be proud. We are proud of our Scotts, Leonards and Naptons, and should leave monuments to attest our pride.

#### MONUMENTS TO GOVERNORS MCCLURG AND FLETCHER.

During the four years of my administration death has claimed two distinguished sons of Missouri, both of whom had been honored by election to the highest office in the gift of our people—that of Governor of the State.

Thomas C. Fletcher was born in Jefferson county, Missouri, January 22, 1827, and by his own earnest work remedied the defects of a very meager education received when a boy, and in 1856 was admitted to the practice of law. In 1860 he advocated the election of Abraham Lincoln, and subsequently became prominent among the supporters of the Union. He recruited the 31st Regiment of Missouri Volunteers and was made the Colonel. He was wounded and captured in 1863, during the Vicksburg campaign. Afterwards, in 1864, whilst acting Brigadier General in Sherman's army, he was nominated and elected Governor of Missouri. The latter years of his life were passed in Washington City, where he died in 1898.

Joseph W. McClurg was born in St. Louis county, Missouri, January 22, 1818. He practiced law in Missouri for two years, and then became engaged in merchantile business, locating at Linn Creek, Camden county, Missouri, where he was interested in very extensive operations. He was a strong Union man, and was in command of a regiment of Home Guards in 1861-62. In 1862 he was elected to Congress as a Republican, and served until 1869, when he resigned to become Governor of Missouri. He died at Lebanon, Missouri, in November, 1900.

These men were called to the Gubernatorial chair in troublous times, and whilst a majority of the citizens of Missouri do not indorse the political principles or some of the official acts of Governors Fletcher and McClurg, it is well to remember that during their terms

of office party lines were most rigidly drawn and sectional strife was at its height. They were Governors of our beloved State, and no doubt did their duty as they saw it, and it is reasonable to assume that they were influenced by what appeared to them worthy motives.

It would seem but proper that these men should be remembered by their State by appropriate monuments, as in the case of the lamented John S. Marmaduke, and I would call the attention of this matter to the consideration of the General Assembly believing that favorable action in the manner indicated will meet with the approval of a large majority of the citizens of Missouri.

#### WORLD'S FAIR—LOUISIANA PURCHASE EXPOSITION.

The centennial of the acquisition of the Louisiana Territory will occur in 1903. It is not only proper but incumbent upon the states and territories within that extensive and resourceful area, to commemorate so great an event. At the request of the citizens of St. Louis I called a convention on January 10, 1899, of delegates from the Louisiana states and territories to consider such a celebration. The Convention was composed of representative citizens from thirteen of the states and two territories, and after two days' deliberation it decided that nothing less than an international exposition, fostered by the Federal Government and participated in by all of its states and possessions, as well as by every civilized country of the Globe, would fitly mark the completion of a century so important, not only in the history of the United States, but of civilization and society. That convention realizing that Missouri is the most populous and the wealthiest State in the purchase and that St. Louis is the largest and most accessible city, selected that metropolis as the location of the Exposition.

Your predecessors, the Fortieth General Assembly, recognized the significance of the celebration, and the magnitude of the enterprise, by submitting to the people of the State a constitutional amendment authorizing the city of St. Louis to increase its bonded debt in the sum of \$5,000,000 in aid of the Exposition, and also a constitutional amendment authorizing the General Assembly to appropriate \$1,000,000 out of the interest and sinking fund to defray the expense of a State exhibit at the aforesaid Exposition. These amendments were not only carried by substantial majorities, but were approved by the people of the State in a spirit which indicated that their patriotic impulses and their State pride were thoroughly enlisted toward making the Exposition a credit to the commonwealth, and commensurate in every respect with an accomplishment which has contributed more than any other event in our history since the formation of the Government toward its perpetuity. It is an honor to Missouri to have such an Exposition located within her borders. The people of St. Louis with commendable liberality and enterprise, have raised by private subscription a fund of \$5,000,000 for the incorporation of a Louisiana Purchase Exposition company. Furthermore, the Federal Government has through the almost unanimous vote of both Houses of Congress, approved by the President, recognized the Exposition and pledged aid thereto in the sum of \$5,000,000. Invitations will be extended by the administration at Washington to all the nations of the world to participate in the Exposition, and during its continuance the rulers of monarchies, the Presidents of our sister Republics, and all who are

eminent in art, science and philanthropy will doubtless be entertained as guests of the United States, of Missouri, and of St. Louis.

The material benefits to Missouri that will result from such an Exposition are unquestionable and incalculable. The diversified and immense resources of the State, for whose display our people have made such liberal provision, will compete favorably with those from any other section of the globe of like area, and will attract immigration and capital in such numbers and amount as will give to their further development an impetus, already too long delayed. All the states and territories in the Louisiana Purchase cherish a proprietary interest in this Exposition, and no doubt every one of them, and in fact every state in the Union, will have on the grounds an exhibit of its raw and manufactured products, as well as a State building at which its citizens will congregate. More, however, will be expected of Missouri than of any other state in the Union.

The people of St. Louis planned this Exposition on a great scale, having decided that \$15,000,000 must be secured before the corporation shall be formed or the site selected. In pledging themselves, however, to provide \$10,000,000 of that \$15,000,000 they have certainly assumed their share of the burden, as none of that \$10,000,000 will be procured or expected from any people of Missouri outside of the city of St. Louis. Furthermore, as St. Louis pays about two-fifths of the State taxes, it will contribute two-fifths of the one million voted by the people for the State exhibit. I am sure, therefore, that you will be prompt to carry out the wishes of the people as expressed at the polls, and follow their instructions by appropriating \$1,000,000 during the early days of the session.

Each House of the last General Assembly had a Louisiana Purchase Exposition Committee and I take it for granted like committees will be appointed by the present Assembly, as additional legislation may be required by the Exposition Company in condemning land for a site, in policing the grounds, and in making them easily accessible from interior parts of the State, as well as from every section of the city of St. Louis. If the Exposition should be held in the year 1903 as is now contemplated, the present General Assembly will be called upon to enact all of this legislation, as the next Assembly will convene only a few months before the opening of the Exposition. I recommend, therefore, that you create a Louisiana Purchase Exposition Commission, to which will be entrusted the collection of Missouri products and the arrangements for their display; and the erection of an imposing State building on the Exposition grounds. Such a Commission would be representative if composed of fifteen members, one from each of the Congressional districts, and to their number might be added, not exceeding two members, from the State at large. The administration expenses of such a Commission should be limited to the extent possible, as patriotic citizens of judgment and ability can no doubt be found who will give their services to so worthy a cause without compensation other than actual expenses incurred.

#### CONCLUSION.

With this communication the reins of the State Government will virtually pass into the hands of my successor, who carries with him my profoundest sympathy, my kindest personal feelings, and my good wishes.

for his happiness, and the success of his administration upon which he so auspiciously enters.

During the four years of my incumbency as your Chief Executive, I have endeavored to perform the duties devolving upon me conscientiously and fearlessly, and for the best interests of all concerned. While many of my official acts have not met with universal favor, I have the consolation of knowing I did what I thought was right, and performed my duty as I saw it.

In my inaugural address, and last biennial message, I took occasion to recommend the adoption of many measures, which were enacted into law, and which I hope will prove beneficial to all our people.

I trust your present body, in its wisdom, will hew to the line, proceed at once upon the business for which you have been chosen, and will not consume too much time squandering the people's money in idleness, and in debating over trifling matters, to the injury and neglect of more important ones. It is to be hoped that this body of representative Missourians, sent by interested and intelligent citizens and taxpayers, to protect and promote their general interests, will be cautious and conservative in dispensing funds for our State Government, boards and institutions and for useless clerks which went so far to damage the reputation of the Fortieth General Assembly. You can be liberal and yet not extravagant; you can exercise economy without being niggardly. Wise, careful, and judicious appropriations, meeting the public demands, will receive the plaudits of your constituency.

My social, political and official relations with brother officers have been ever pleasant and helpful to me. My long official stay at the capitol has not only endeared to me my immediate associates, but has brought me in such close touch with the people from every section of my native State, that I shall love and honor them forever, and miss no opportunity to advance their interests along all lines.

When nominated by my party as its standard bearer in 1896, in my speech of acceptance, I said: "If God spares my life I will help carry the banner you have placed in my hands to victory, but I will not promise you that I will make a record that will compare with that of that grand old Roman, John S. Phelps, or with that of that eminent jurist, Silas Woodson, who had the honor of defeating my own father for this nomination, or with that of that noble Christian gentleman, Charles H. Hardin, or with that of the handsome and chivalrous Thomas T. Crittenden, or with that of the brave and honest John S. Marmaduke, or with that of that princely gentleman, A. P. Morehouse, or with that of the dashing and brilliant David R. Francis, or with that of our own fearless and eloquent leader, William J. Stone, but I will promise you, God helping me, I will do the best I can, and I will let the future historian write the story. If he says I was just, fair and patient, and that I was without prejudice, but that I had a heart which always beat in sympathy with the struggling masses, if he says that I attended to the duties of the office with assiduity and devotion, that my administration was clean, practical and business like, that I loved Missouri and my friends, and that I inaugurated many business reforms which proved profitable to the taxpayers and satisfactory to the public generally, I will be happy, I will be satisfied, I will be content."

The record is now made. Nothing I can say or do, or you can say or do, can change it. It will stand forever to our credit or discredit. I have, as I promised, done my best. It can at least be said no scandal attaches to my administration—I have brought no dishonor to the ex-

alted position to which my countrymen elected me. To my friends, who have been ever loyal and faithful, I am profoundly grateful. Of my enemies, who have kept me from growing conceited, and who have kept me constantly upon the alert, I am not unappreciative. They have served me well. With good-will to all and malice to none my work is finished. May God continue to bless Old Missouri, and may He guide, direct, protect and defend my successor, is my farewell prayer.

LON V. STEPHENS,

Governor of Missouri.

The following resolution by Senator Martin of Saline was read and adopted:

Resolved, That 2,000 copies of the Governor's biennial message, just received, be printed in English and 1,000 copies in German, and that 500 copies of said message be for the use of the Governor and the remainder for the use of the Senate.

Senator Morton offered the following resolution:

Resolved, That the Auditor be requested to audit and the treasurer to pay the per diem and statutory accounts of the Senators and the temporary and permanent officers of the Senate.

Which was read and adopted.

On motion of Senator Haynes, the Senate adjourned until 3 p. m. Monday, January 7, 1901.

#### FOURTH DAY—Monday, January 7, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The roll of Senators was called and the following Senators answered their names:

##### Present—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Martin (Saline), | Smith,     |
| Bradley,  | Drabelle, | Matthews,        | Stubbs,    |
| Clarke,   | Farris,   | Morton,          | Sullivan,  |
| Clay,     | Fields,   | Orchard,         | Tandy,     |
| Collins,  | Haynes,   | Ramp,            | Thomas,    |
| Cooper,   | Heather,  | Rollins,         | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davison,  | Marshall, | Schoenlaub,      | Zevely—32. |

Absent with leave—Senator Lee—1.

Sick—Senator Martin of (St. Louis)—1.

The journal of Friday was read and approved.

Senator Fields presented a petition in regard to game and fish law.

Senator Rollins introduced the following resolution:

Resolved, That we hear with much regret of the illness of Senator Thomas C. Martin of St. Louis, and hereby extend to him, in his suffering, our cordial sympathy and wishes for his recovery; that the Secretary be instructed to communicate this expression to him, with the assurance that the members of this body hold Senator Martin in fondest memory and the highest esteem.

Which was read and adopted.

Senator Drabelle introduced Senate bill No. 11, entitled

An act establishing an advisory board of paroles and pardons, defining the duties thereof and providing for paroling, commuting the sentence and pardoning of convicts;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 12, entitled

An act fixing the compensation of the circuit attorney in cities in this State which now have or which may hereafter have 300,000 inhabitants

or more, and providing that such circuit attorney shall have the same fees for conviction in felony cases in addition to his salary as are allowed prosecuting attorneys throughout the State in addition to their salaries, which fees, when so received, may be a contingent fund to be used by said circuit attorney in paying the incidental expenses of his office;

Read first time and 150 copies ordered printed.

Senator Fields introduced Senate bill No. 13, entitled

An act in reference to telephone lines erected, owned or constructed by two or more persons;

Read first time and 150 copies ordered printed.

Senator Fields introduced Senate bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3, Revised Statutes, 1899;

Read first time and 150 copies ordered printed.

Senator Fields introduced Senate bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899;

Read first time and 150 copies ordered printed.

Senator Fields introduced Senate bill No. 16, entitled

An act repealing section 2482, chapter 16, article 3, Revised Statutes, 1899, and enacting a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Dowell introduced Senate bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of Revised Statutes of 1899, entitled "Costs in criminal cases;"

Read first time and 150 copies ordered printed.

Senator Dowell introduced Senate bill No. 18, entitled

An act to amend section 1990 of article 3 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against public and private property;"

Read first time and 150 copies ordered printed.

Senator Dowell introduced Senate bill No. 19, entitled

An act to amend section 7759, article 5 of the Revised Statutes of 1899, entitled "Reform school for boys;"

Read first time and 150 copies ordered printed.

The following message from the Governor was received through his Private Secretary, Mr. Moore, and read:

Executive Department, State of Missouri, )  
Jefferson City, January 7, 1901. (

To the Senate and House of Representatives:

I have the honor to transmit to you (through the House of Representatives) the second annual report of the State Beer Inspector.

I also have the honor herewith to transmit to you (through the House of Representatives) the first annual report of the Board of Trustees of the Fruit Experiment Station.

I also have the honor herewith to transmit to you (through the House of Representatives) the report of the State Board of Health of Missouri for the year 1900.

Respectfully,

LON V. STEPHENS,  
Governor.

Senator Rollins introduced Senate bill No. 20, entitled

An act to amend sections 1313 and 1314 of Revised Statutes of 1899, so as to require directors or managers to make oath to their statement for articles of incorporation and providing for the original sworn statement to be filed with Secretary of State;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 21, entitled

An act fixing the number of directors in public school boards in cities having three hundred thousand inhabitants and over; providing for the election and districting of same;

Read first time and 150 copies ordered printed.

Senator Davisson introduced Senate bill No. 22, entitled

An act to provide for a board of arbitration and conciliation for the settlement of differences between employer and employes;

Read first time and 150 copies ordered printed.

Senator Jewell presented the following:

In the matter of contest proceedings by Numa R. Holcomb, contestant, vs. Jesse L. Jewell, contestee, before the Senate of Missouri:

Now comes said contestee, before this Senate, and shows to the Senate, that he is the duly elected and qualified member of this House, from the Fifth Senatorial district in Jackson county, being elected thereto at the general election held in November, 1900, but that his election to said office is being contested by Numa R. Holcomb, and that in the progress of such contest, a notice of contest has been served upon him by contestant, but that said notice of contest does not, in good faith, comply with the laws, as to what said notice should contain, in this respect:

First—That the same is drawn for the purpose of evading the provisions of law; that the notice shall specify the names of the voters whose votes are contested, such notice containing a long list of voters, beginning on the third page of said notice, and attached to it as the list of voters whose votes are objected to, which list was the entire list of all of the voters, who were qualified to vote at said election in Kansas City, in the district from which said contestee was elected. And the notice alleges, that so many of the same as voted for the contestee, are illegal voters, without specifying which of them it is claimed voted for contestee, and which of them will be attacked as illegal voters. Wherefore, it is apparent, that this list of voters is not a sufficient specification of the names of the voters, whose votes are contested, within the meaning of the law, and for which reason contestee moves this Honorable Body, that in consideration of said contest, said entire list of voters, shall be stricken out of said notice of contest.

Second—And further contestee shows to this Honorable Body, that said notice is defective, in that it does not sufficiently, within the meaning of the law, specify the names of the voters whose votes are contested. And does not, when taken in connection with the fact, that no sufficient definite list of voters is included therein, correctly specify the ground upon which such votes are illegal, and that it nowhere contains a full statement of any other grounds, upon which said election is contested, for the further reason that of the grounds stated in said notice of contest, those which are on their face, good in some respects, necessarily include therein, to make them good grounds of contest, a reference to the list of voters above mentioned, and because said list of voters is so indefinitely specified, these grounds are not good. And further such of said grounds as do not directly refer to said list of voters to make them good, are not so stated as to make them good, even if the statements therein made, are true. Wherefore, for the reasons above stated, as the same may apply to each and every ground of contest, this contestee moves this Honorable Body separately, that each ground of contest set forth in said notice of contest, shall be stricken out and not considered.

Third—The contestee further shows to this Honorable Body, that the provisions of law as to contesting, have been further violated, in that, without his fault, and against his objection, the taking of depositions in this cause, was not commenced within forty days from the date of said election. And that at the time said depositions were commenced, which was after the said forty days, he objected to the proceeding of said depositions, because not commenced in time. The fact being, that none of the justices selected to take said depositions, were, within forty days of said election, given a copy of the contestant's notice of contest. And that none of them had within that time, seen or read, either the original or a copy thereof. And the fact further being, that without fault of contestee, all of the justices required by law were not selected within that time, to all of which proceedings contestee objected at the time when they were made. Wherefore, he moves this Honorable Body to strike out said notice of contest and not to proceed with the consideration of said contest.

JESSE L. JEWELL.

Which was filed with the Secretary "D" to await the appointment of committees.

On motion of Senator Walker, the Senate adjourned until 10 a. m. to-morrow.

## FIFTH DAY—Tuesday, January 8, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Message from the Governor received through his Private Secretary.

Senator Dowell presents a petition from citizens of Scotland county, concerning "An act to regulate the practice of veterinary medicine," etc.

Senator Dowell presented a petition concerning fish and game law.

Senator Davisson presented a petition in regard to game and fish.

Senator Farris introduced Senate bill No. 23, entitled

An act to protect quail and wild turkeys;

Read first time and 150 copies ordered printed.

Senator Tandy introduced Senate bill No. 24, entitled

An act to amend article 1 of chapter 111 of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a;

Read first time and 150 copies ordered printed.

Senator Dowell introduced Senate bill No. 25, entitled

An act to amend section 1853, article 2 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against the lives and persons of individuals;"

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 26, entitled

An act to amend section 9387 of article 9 of chapter 149 of Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 28, entitled

An act to amend section 9390 of article 149 of the Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 29, entitled

An act to amend section 9391, of article 9, chapter 149 of the Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 30, entitled

An act to regulate the travel or transportation of the white and colored passengers on railroads of this State;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 31, entitled  
An act to establish a board of pardons;  
Read first time and 150 copies ordered printed.

Senator Rubey (by request) introduced Senate bill No. 32, entitled  
An act imposing an additional fee on corporations in certain cases to  
provide revenue for educational purposes;  
Read first time and 150 copies ordered printed.

Senator Martin (of Saline) introduced Senate bill No. 33, entitled  
An act to punish any one guilty of kidnaping or carrying away  
any child or other person;  
Read first time and 150 copies ordered printed.

Senator Martin (of Saline) introduced Senate bill No. 34, entitled  
An act to provide for the reimbursement of Salt Pond township,  
Saline county, Missouri, out of the State revenue and State interest  
funds for moneys heretofore paid into the State treasury belonging to  
said township;

Read first time and 150 copies ordered printed.

On motion of Senator Haynes, the Senate went into executive ses-  
sion to consider a message from the Governor.

The Senate resumed session.

On motion of Senator Farris, the Senate adjourned until 10 a. m.  
to-morrow.

## SIXTH DAY— Wednesday, January 9, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Walker presented a petition from citizens of the Tenth  
Senatorial district in regard to game and fish laws.

Senator Morton introduced the following resolution:

Whereas, small-pox prevails to an alarming extent throughout the State; and,  
Whereas, the State Board of Health is without funds to enforce a quarantine in  
any part of the State:

Therefore, be it Resolved by the Senate and House of Representatives, That Presi-  
dent of the Senate and Speaker of the House requests the State Board of Health to  
meet at once; to provide all necessary rules of quarantine as provided by law in any  
part of the State where the said disease prevails; and be it further

Resolved, That this Assembly pledges an amount not to exceed ten thousand  
dollars in carrying out its orders and quarantine, and that said board make a com-  
plete and itemized return to the Governor, and by him submitted to the General  
Assembly of its expenditures.

Which was read and adopted.

The following message from the Governor, through his Private  
Secretary, Mr. Moore, were received and read:

Executive Department, State of Missouri, )  
Jefferson City, January 9, 1901. {

To the Senate and House of Representatives:

I have the honor to transmit to you (through the House of Representatives)  
the First Biennial Report of the Managers of the Missouri Colony for the Feeble-  
Minded and Epileptic.

Respectfully,  
LON V. STEPHENS,  
Governor.

Executive Department, State of Missouri, )  
Jefferson City, January 9, 1901. }

To the Senate and House of Representatives:

I have the honor to transmit to you (through the House of Representatives) the Second Biennial Report of the State Board of Charities and Corrections.

Respectfully,

LON V. STEPHENS,  
Governor.

Senator Fields introduced Senate bill No. 35, entitled

An act appropriating forty thousand dollars to build an additional building at the Normal School at Kirksville, Missouri;

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 36, entitled

An act to amend article 6, chapter 16 of the Revised Statutes of the State of Missouri, 1899, entitled "Proceedings before trial—change of venue, when granted," by striking out sections 2595, 2596 and 2597 and inserting three new sections in lieu thereof, to be numbered sections 2595, 2596 and 2597, respectively;

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 37, entitled

An act to create an additional civil division in and for the circuit court of the 16th judicial circuit at Kansas City, Jackson county, for the appointment and election of an additional judge of said circuit court; to increase the salaries of the judges of said court; to empower the judges of said circuit court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said circuit court and to make rules for other purposes; to abolish the criminal courts of said county and to vest the jurisdiction thereof in the Jackson county circuit court; to transfer the judge of the criminal court to the office of circuit judge;

Read first time and 150 copies ordered printed.

The President announced the Committee on Arrangements for inaugural ceremonies in conformity to resolution adopted on Friday, as follows:

Senators Rubey, Costello, Collins, Bradley, Smith.

Senator Rubey introduced joint and concurrent resolution No. 2, as follows:

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, authorizing the taxation of large inheritances in order to provide revenue for public educational purposes;

Read first time and 150 copies ordered printed.

On motion of Senator Walker, the Senate adjourned until 10 a. m. to-morrow.

## SEVENTH DAY—Thursday, January 10, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

A message from the Governor, through his Private Secretary, Mr. Moore, was received:

Senator Drabelle offered the following resolution:

Resolved, That the Secretary of State is hereby requested to print all reports of departments, officers and institutions made to the Senate during the session in the appendix of the journal.

Which was read and adopted.

Senator Clay presented a petition from citizens of the Twenty-sixth Senatorial district in regard to game and fish laws.

Senator Clay presented a petition in regard to practice of veterinary medicine and veterinary surgery.

Senator Morton presented a petition from citizens of Caldwell county in relation to game and fish law.

Senator Dowell presented a petition from citizens of the Twelfth Senatorial district in regard to game and fish law.

Senator Whaley presented a petition from citizens of the Sixteenth Senatorial district in regard to game and fish law.

Senator Farris introduced Senate bill No. 38, entitled

An act to amend section 581, Revised Statutes of 1899 of Missouri, entitled "Orders of publication;"

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 39, entitled

An act to amend section 8012, Revised Statutes of Missouri of 1899, entitled "Insurance," by adding a provision thereto;

Read first time and 150 copies ordered printed.

Senator Farris (by request) introduced Senate bill No. 40, entitled

An act to appropriate money for the representation of Missouri at the Pan-American Exposition at Buffalo, New York;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 41, entitled

An act to amend section 9427, article 1, chapter 151, Revised Statutes of Missouri, 1899, concerning roads and highways;

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 42, entitled

An act to protect and preserve the birds of Missouri from destruction; to provide for the enforcement of the same, and to provide for the appointment of Game Warden;

Read first time and 150 copies ordered printed.

Senator Martin (of Saline) introduced Senate bill No. 43, entitled

An act fixing the time for holding court in the Fifteenth Judicial Circuit and in the criminal court of the Fifteenth Circuit of the State of Missouri;

Read first time and 150 copies ordered printed.

Senator Martin of Saline introduced Senate bill No. 44, entitled

An act to amend section 1024, Revised Statutes of 1899, by adding a new section numbered 1024a, relating to foreign corporations;

Read first time and 150 copies ordered printed.

Senator Martin (of Saline) introduced (by request) Senate bill No. 45, entitled

An act to require the publication of the laws in the newspapers;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 46, entitled

An act to create the office of license collector, provide for the election of license collector, regulate his salary and the salaries and compensation of deputy license collector, clerks and employes in said office and define the duties thereof in cities now having or which hereafter may have three hundred thousand inhabitants or more and to provide for the payment of salaries and expenses of said office of license collector;

Read first time and 150 copies ordered printed.

Senator Rubey introduced Senate bill No. 47, entitled

An act requiring corporations owning and operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroad where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroads or in consideration of donations to the corporation building or constructing such railroads;

Read first time and 150 copies ordered printed.

The Secretary of State presented the following report:

State of Missouri, Department of State, }  
City of Jefferson, January 9, 1901. }

To the Honorable, the Forty-first General Assembly of the State of Missouri:

Gentlemen—In pursuance of the provisions of section 1020, R. S. 1899, requiring certain incorporated companies to annually report to the Secretary of State, I have the honor to make the following statement of totals of each item required by said act to be reported for the years 1899 and 1900, and also to submit the bound volumes of these reports in detail resultant from the enforcement of said law, which I have faithfully and at great labor endeavored to execute.

Trusting that your Honorable Body will carefully inspect the books, as well as the report.

I remain your obedient servant,

A. A. LESUEUR,  
Secretary of State.

## SUMMARY OF REPORTS OF CORPORATIONS—1899.

## MANUFACTURING AND BUSINESS CORPORATIONS.

| Amount capital stock subscribed... | Amount capital stock paid up... | Cash value personal property in this State June 1, 1890..... | Cash value real estate in this State June 1, 1899..... | Am't city taxes paid for year preceding report..... | Amount county taxes paid for year preceding report..... | Am't State taxes paid for year preceding report..... |
|------------------------------------|---------------------------------|--|--|---|---|--|
| \$356,726,705 00                   | \$356,095,759 34                | \$50,442,700 58  | \$74,372,223 20  | \$939,287 09  | \$176,473 43  | \$530,187 16   |

## BANKING CORPORATIONS.

|               |               |               |              |            |           |           |
|---------------|---------------|---------------|--------------|------------|-----------|-----------|
| 18,877,800 00 | 18,833,005 00 | 35,446,712 99 | 3,381,618 40 | 145,241 71 | 85,902 48 | 63,564 41 |
|---------------|---------------|---------------|--------------|------------|-----------|-----------|

## TRUST CORPORATIONS.

|               |               |               |              |           |          |           |
|---------------|---------------|---------------|--------------|-----------|----------|-----------|
| 14,416,800 00 | 12,222,704 05 | 17,709,233 22 | 1,481,931 27 | 94,841 40 | 7,786 94 | 23,739 60 |
|---------------|---------------|---------------|--------------|-----------|----------|-----------|

## STREET RAILWAY CORPORATIONS.

|               |               |              |              |           |          |           |
|---------------|---------------|--------------|--------------|-----------|----------|-----------|
| 28,203,850 00 | 27,453,600 00 | 4,797,503 02 | 1,487,538 00 | 89,237 14 | 9,412 68 | 23,590 99 |
|---------------|---------------|--------------|--------------|-----------|----------|-----------|

## TELEGRAPH AND TELEPHONE CORPORATIONS.

|              |              |              |            |           |          |          |
|--------------|--------------|--------------|------------|-----------|----------|----------|
| 6,382,440 00 | 6,183,758 75 | 1,740,565 91 | 289,090 36 | 47,641 28 | 1,804 67 | 6,210 78 |
|--------------|--------------|--------------|------------|-----------|----------|----------|

## UNION DEPOT CORPORATIONS.

|              |              |          |            |          |          |          |
|--------------|--------------|----------|------------|----------|----------|----------|
| 1,544,000 00 | 1,544,000 00 | 5,700 00 | 108,000 00 | 6,393 63 | 5,083 99 | 2,029 87 |
|--------------|--------------|----------|------------|----------|----------|----------|

## BRIDGE CORPORATIONS.

|               |               |            |            |          |          |          |
|---------------|---------------|------------|------------|----------|----------|----------|
| 11,414,100 00 | 11,407,740 00 | 257,425 58 | 300,470 00 | 1,525 00 | 5,415 48 | 2,949 58 |
|---------------|---------------|------------|------------|----------|----------|----------|

## GRAVEL AND PLANK ROAD CORPORATIONS.

|            |            |        |           |       |        |       |
|------------|------------|--------|-----------|-------|--------|-------|
| 142,245 00 | 125,930 00 | 150 00 | 14,175 00 | ..... | 228 64 | 27 78 |
|------------|------------|--------|-----------|-------|--------|-------|

## COMPANIES INCORPORATED BY LEGISLATIVE ENACTMENT.

|               |               |              |              |           |        |          |
|---------------|---------------|--------------|--------------|-----------|--------|----------|
| 11,081,000 00 | 11,067,700 00 | 1,406,530 52 | 1,057,150 00 | 30,891 67 | 290 06 | 9,288 57 |
|---------------|---------------|--------------|--------------|-----------|--------|----------|

## GRAND TOTALS.

|                |                |                |               |              |            |            |
|----------------|----------------|----------------|---------------|--------------|------------|------------|
| 448,788,940 00 | 444,934,197 14 | 111,807,121 82 | 82,492,196 23 | 1,355,058 92 | 292,398 37 | 661,588 74 |
|----------------|----------------|----------------|---------------|--------------|------------|------------|

## FOREIGN CORPORATIONS.

|       |       |              |              |           |           |           |
|-------|-------|--------------|--------------|-----------|-----------|-----------|
| ..... | ..... | 8,835,765 92 | 6,056,766 46 | 51,191 17 | 18,206 02 | 47,840 32 |
|-------|-------|--------------|--------------|-----------|-----------|-----------|

## SUMMARY OF REPORTS OF CORPORATIONS—1900.

## MANUFACTURING AND BUSINESS CORPORATIONS.

| Amount capital stock subscribed.. | Amount capital stock paid up... | Cash value personal property in this State June 1, 1900..... | Cash value real estate in this State June 1, 1900..... | Am't city taxes paid for year preceding report..... | Amount county taxes paid for year preceding report..... | Am't State taxes paid for year preceding report..... |
|-----------------------------------|---------------------------------|--|--|---|---|--|
| \$400,689,162 00                  | \$393,485,746 00                | \$58,378,246 93  | \$79,605,785 03  | \$1,046,569 83                                      | \$202,850 91  | \$558,378 67   |

## BANKING CORPORATIONS.

|               |               |               |              |            |           |           |
|---------------|---------------|---------------|--------------|------------|-----------|-----------|
| 18,602,300 00 | 18,591,225 00 | 31,963,409 35 | 3,291,164 02 | 130,346 92 | 83,862 12 | 63,728 79 |
|---------------|---------------|---------------|--------------|------------|-----------|-----------|

## TRUST CORPORATIONS.

|               |               |               |              |           |          |           |
|---------------|---------------|---------------|--------------|-----------|----------|-----------|
| 13,528,800 00 | 13,011,880 00 | 23,312,727 95 | 1,025,177 66 | 48,779 69 | 8,238 44 | 51,097 41 |
|---------------|---------------|---------------|--------------|-----------|----------|-----------|

## STREET RAILWAY CORPORATIONS.

|               |               |              |              |            |           |           |
|---------------|---------------|--------------|--------------|------------|-----------|-----------|
| 83,868,900 00 | 83,822,650 00 | 4,506,176 17 | 2,061,950 00 | 195,879 62 | 13,185 89 | 90,493 67 |
|---------------|---------------|--------------|--------------|------------|-----------|-----------|

## TELEGRAPH AND TELEPHONE CORPORATIONS.

|              |              |              |            |           |          |          |
|--------------|--------------|--------------|------------|-----------|----------|----------|
| 7,367,292 50 | 6,871,225 00 | 1,859,378 81 | 273,895 73 | 62,176 00 | 3,444 95 | 7,827 73 |
|--------------|--------------|--------------|------------|-----------|----------|----------|

## UNION DEPOT CORPORATIONS.

|              |              |          |            |          |          |          |
|--------------|--------------|----------|------------|----------|----------|----------|
| 1,544,000 00 | 1,544,000 00 | 5,440 00 | 489,000 00 | 5,804 19 | 5,648 02 | 2,067 15 |
|--------------|--------------|----------|------------|----------|----------|----------|

## BRIDGE CORPORATIONS.

|              |              |           |            |          |          |          |
|--------------|--------------|-----------|------------|----------|----------|----------|
| 5,976,000 00 | 5,496,400 00 | 57,425 58 | 476,670 00 | 1,465 00 | 6,622 95 | 1,791 25 |
|--------------|--------------|-----------|------------|----------|----------|----------|

## GRAVEL AND PLANK ROAD CORPORATIONS.

|            |            |        |           |       |        |        |
|------------|------------|--------|-----------|-------|--------|--------|
| 125,995 00 | 125,580 00 | 550 00 | 10,000 00 | ..... | 825 87 | 194 33 |
|------------|------------|--------|-----------|-------|--------|--------|

## COMPANIES INCORPORATED BY LEGISLATIVE ENACTMENT.

|               |               |              |              |           |        |          |
|---------------|---------------|--------------|--------------|-----------|--------|----------|
| 11,950,000 00 | 11,567,850 00 | 1,419,630 43 | 1,085,850 00 | 33,440 77 | 100 63 | 6,331 72 |
|---------------|---------------|--------------|--------------|-----------|--------|----------|

## GRAND TOTALS.

|                |                |                |               |              |            |            |
|----------------|----------------|----------------|---------------|--------------|------------|------------|
| 543,652,449 50 | 534,516,556 00 | 121,502,985 22 | 88,319,492 44 | 1,524,462 02 | 334,779 78 | 781,910 72 |
|----------------|----------------|----------------|---------------|--------------|------------|------------|

## FOREIGN CORPORATIONS.

|       |       |              |              |           |           |           |
|-------|-------|--------------|--------------|-----------|-----------|-----------|
| ..... | ..... | 8,639,268 55 | 7,323,710 75 | 83,231 65 | 28,204 27 | 76,593 14 |
|-------|-------|--------------|--------------|-----------|-----------|-----------|

Which was read.

Senators Cooper and Tandy were granted leave of absence on account of sickness.

The following message was received from the House of Representatives, through its Chief Clerk, Mr. Tall, and read:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in the accompanying joint resolution No. 1.

Whereas, Small-pox prevails to an alarming extent throughout the State; and, Whereas, The State Board of Health is without funds to enforce a quarantine in any part of the State; therefore be it

Resolved by the Senate and House of Representatives, That the President of the Senate and the Speaker of the House do request the State Board of Health to meet at once, to provide all necessary rules of quarantine, as provided by law, in any part of the State where said disease prevails; and, be it further

Resolved, That the Assembly pledge an amount not to exceed ten thousand dollars in carrying out its orders and quarantine, and that said board make a complete itemized return to the Governor, and by him submitted to the General Assembly of its expenditures.

Respectfully submitted,

(Copy)

CORNELIUS ROACH,  
Secretary.

Senator Thomas, from the Committee on Clerical Force, submitted the following report:

Jefferson City, Mo., January 9, 1901.

Mr. President: Your committee appointed to ascertain and report the number of employes needed and clerical force necessary to transact the business of the Senate would respectfully report the following:

To be on the staff of the Secretary of the Senate—

- |                         |                           |
|-------------------------|---------------------------|
| 2 Docket Clerks.        | 1 Minute Clerk.           |
| 4 Rough Journal Clerks. | 12 Smooth Journal Clerks. |
| 2 Bill Clerks.          | 2 Stationery Clerks.      |
| 2 Proof Readers.        | 1 Printing Clerk.         |
| 1 Endorsing Clerk.      | 4 Copying Clerks.         |
| 2 Bill File Clerks.     |                           |

On the Doorkeeper's staff—

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| 1 Library Clerk.                    | 1 Postal Clerk.                     |
| 1 Mail Clerk.                       | 2 Cloakroom Clerks.                 |
| 7 Typewriter Clerks.                | 7 Stenographer Clerks.              |
| 1 Supt. of Heating and Ventilation. | 1 Day Custodian Clerk.              |
| 1 Night Custodian Clerk.            | 1 Assistant Sergeant-at-Arms Clerk. |

All of the above and foregoing clerks under the Secretary and Doorkeeper to receive three dollars and fifty cents per day.

An to be under the Doorkeeper of the Senate and to be appointed by him—

- |                              |                      |
|------------------------------|----------------------|
| 6 Sweepers.                  | 3 Spittoon Cleaners. |
| 6 Committee Room Attendants. |                      |

All of whom shall be paid two dollars per day.

Engrossing and Enrolling forces as follows:

- |                           |                          |
|---------------------------|--------------------------|
| 16 Engrossing Clerks.     | 12 Enrolling Clerks.     |
| 1 Chief Engrossing Clerk. | 1 Chief Enrolling Clerk. |

All of whom shall be paid three dollars and fifty cents per day, except the Chief Clerks on enrolled and engrossed bills, who shall each receive five dollars per day.

And we further report that the Chairman of each standing committee be allowed one committee clerk for his committee, to be paid the sum of three dollars and fifty cents per day.

We further recommend one stenographer clerk for the use of the minority.

We further recommend that the pay of the clerical force begin from and after January 3rd, excepting any one of whom may have been employed in the temporary organization.

We further recommend that the enrolling force shall be required to work with the engrossing force until such time as the work of enrollment shall require their time.

And when the work of the engrossing force shall cease to require all their time they shall be assigned to and assist the enrolling force.

Respectfully submitted,

B. F. THOMAS,  
W. E. STUBBS,  
C. J. WALKER.

Which was read.

Senator Davisson offered the following amendment to the report of the Committee on Clerical Force:

Substitute for the clause providing a clerk for the minority, the following: "Each Senator of the minority shall have one clerk, to receive \$3.50 per day."

Which was read.

Senator Dowell moved to make the report with amendment the special order for to-morrow morning at 10 o'clock.

The motion was lost.

The question recurring on the amendment, the roll call was demanded, and amendment not agreed to by the following vote:

YEAS—Senators

|                                  |                      |                   |                       |
|----------------------------------|----------------------|-------------------|-----------------------|
| Clarke,<br>Collins,<br>Davisson, | Jewell,<br>Matthews, | Ramp,<br>Rollins, | Smith,<br>Sullivan—9. |
|----------------------------------|----------------------|-------------------|-----------------------|

NAYS—Senators

|   |  |   |   |
|---|--|---|---|
| Biggs,<br>Bradley,<br>Clay,<br>Costello,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Martin (Saline), | Morton,<br>Orchard,<br>Rubey,<br>Schoenlaub,<br>Stubbs, | Thomas,<br>Walker,<br>Whaley,<br>Zevely—19. |
|---|--|---|---|

Absent—Senators

|          |      |             |
|----------|------|-------------|
| Heather, | Lee, | Marshall—3. |
|----------|------|-------------|

Sick—Senators

|         |                                |
|---------|--------------------------------|
| Cooper, | Martin (of St. Louis, Tandy—3. |
|---------|--------------------------------|

Senator Davisson moved that the report be amended by striking out that part of the report in reference to clerk for minority.

The motion was lost.

Senator Davisson offered substitute for the report of the Committee on Clerical Force.

Declared out of order.

Senator Davisson offered a minority report, which was declared out of order, because minority report cannot be considered after amendment to majority report had been offered and disposed of.

The question recurring on the adoption of the original report, the report was adopted by the following vote:

YEAS—Senators

|  |   |  |  |
|--|---|--|--|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Costello, | Dowell,<br>Drabelle,<br>Farris,<br>Fields,<br>Haynes, | Martin (Saline),<br>Morton,<br>Orchard,<br>Rubey,<br>Schoenlaub, | Stubbs,<br>Thomas,<br>Walker,<br>Whaley,<br>Zevely—20. |
|--|---|--|--|

NAYS—Senators

|                      |                      |                   |                       |
|----------------------|----------------------|-------------------|-----------------------|
| Clarke,<br>Davisson, | Jewell,<br>Matthews, | Ramp,<br>Rollins, | Smith,<br>Sullivan—8. |
|----------------------|----------------------|-------------------|-----------------------|

Absent—Senators

|                     |      |           |        |
|---------------------|------|-----------|--------|
| Cooper,<br>Heather, | Lee, | Marshall, | Tandy, |
|---------------------|------|-----------|--------|

Sick—Senator—Martin (St Louis)—1.

On motion of Senator Haynes, the Senate went into executive session.  
The Senate resumed session.

On motion of Senator Farris, the Senate adjourned until 10 o'clock to-morrow morning.

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## EIGHTH DAY—Friday, January 11, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Walker offered the following resolution :

Whereas, Under the act of March 9, 1893, the eleemosynary and penal institutions of this State are required to and do pay into the State treasury all moneys received from whatever source for the support or improvement of said institutions; and

Whereas, The appropriations made for maintenance by the Fortieth General Assembly for the years 1899 and 1900 apply to contracts made for that purpose only within the biennial period for which such appropriations were made; that is, from January 1, 1899, to December 31, 1900; and

Whereas, Under said act no provision is made for the maintenance of said institutions from January 1, 1901, until such date as the Forty-first General Assembly shall appropriate money for that purpose; therefore be it

Resolved, That the State Treasurer be and he is hereby requested to honor when approved by the State Auditor the requisitions of the proper officers of said institutions for moneys with which to defray expenses for maintenance and officers' salaries from January 1, 1901, until the approval of the appropriation bill of the Forty-first General Assembly. The amounts advanced in pursuance of this resolution to be considered and treated as being a part of the regular appropriation for 1901 and 1902.

Which was read and adopted.

Senator Jewell introduced Senate bill No. 48, entitled

An act providing for the time when a vote of the people of this State shall be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State, providing for the place of meeting of convention, eligibility of members thereof and form of ballot;

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 49, entitled

An act to amend article 4, chapter 12 of the Revised Statutes of 1899, entitled "Corporations," by repealing section 1198 and enacting a new section in lieu thereof.

Read first time and 150 copies ordered printed.

Senator Tandy moved that the rules be suspended and Senate bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Be taken up for second reading.

The motion prevailed.

Senate Bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Was read second time, and, on motion of Senator Farris, was referred to Committee of the Whole.

The Senate went into Committee of the Whole.

Senator Farris in the chair.

Senate bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Was taken up in Committee of the Whole and read by sections.

Senator Fields moved that the committee rise and report the bill with recommendation that it do pass with emergency clause.

The motion prevailed.

The committee rose.

Senator Farris, from the Committee of the Whole, submitted the following report, which was read:

Mr. President: Your Committee of the Whole, to whom was referred Senate Bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Beg leave to report, that they have carefully considered the same and recommend that it do pass.

Senator Farris moved that the rules be suspended and a special committee of three on Engrossed Bills be appointed.

The motion prevailed.

The following message was received from the Governor through his Private Secretary, Mr. Moore, and read:

State of Missouri, Executive Department, }  
Jefferson City, January 11, 1901. }

To the Senate and House of Representatives:

I have the honor to transmit to you (through the House of Representatives) the Twenty-second Biennial Report of the Missouri School for the Blind.

I also have the honor herewith to transmit to you (through the House of Representatives) the Report of the Fish Commission of the State of Missouri for the years 1899-1900.

Respectfully,

LON V. STEPHENS,  
Governor.

On motion of Senator Farris, the rules were suspended, and Senate Bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Was taken up and ordered engrossed and printed.

The President appointed the following special committee on Engrossed Bills:

Senators Fields, Tandy, Matthews.

Senator Farris moved to adjourn.

The motion was withdrawn.

Senator Morton moved that the Senate take informal recess.

The motion prevailed.

The President called the Senate to order.

Senator Whaley presented report of the committee appointed by the Governor to settle with the State officers known as the Auditing Committee;

Which was read.

Senator Haynes moved that the committee be allowed to withdraw the report for the purpose of completing same and that complete report be made at as early date as possible.

The motion prevailed.

The following message was received from the House of Representatives, through its Assistant Chief Clerk, Mr. Byrne, and read:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House, the following resolution, in which the concurrence of the Senate is respectfully asked.

JNO. T. BYRNE,  
Assistant Chief Clerk.

Joint resolution requesting out Senators and Representatives in Congress to cooperate with the Texas delegation in securing appropriations for the repair and improvement of Galveston harbor.

Whereas, The city and port of Galveston in our sister State of Texas met with an appalling disaster in the storm and flood of September 8th, 1900, resulting in loss of many thousands of lives and properties of the value of many millions of dollars; and

Whereas, the people of Missouri and the southwest and of the entire Union are deeply interested in the maintenance of the deep water port on the Gulf of Mexico at Galveston; therefore be it

Resolved by the House of Representatives, the Senate concurring therein, That our Senators and Representatives in the Congress of the United States be requested to co-operate with the Texas Senators and Representatives in securing at the present session appropriations in the River and Harbor bill for the repair and improvement of Galveston harbor.

Resolved further, That the Clerk of this House transmit a copy of these resolutions to each Missouri Senator and Representative in Congress.

Senator Rubey, from the Committee on Inaugural Ceremonies, submitted the following report; which was read:

#### INAUGURAL CEREMONIES.

Mr. President: Your Committee on Inaugural Ceremonies beg leave to report as follows:

We recommend the following as the program of inaugural ceremonies:

I. That all persons entitled to the privileges of the floor of the House of Representatives, together with their wives and relatives, shall be admitted to said floor at eleven o'clock a. m., Monday, January 14th.

II. That after 11:30 a. m. on said date the general public shall be admitted to the floor of the House of Representatives; special seats being reserved for the judges of the supreme court, the State officers, the Senate and the committees on inauguration.

III. That the gallery be reserved for the ladies and the bands furnishing music.

IV. That at 11:45 the Senate and House meet in joint session in the hall of the House of Representatives.

V. That at 11:45 the committee met the Governor, Governor-elect, Lieutenant-Governor and Lieutenant-Governor-elect and all the State officers-elect and the judges of the supreme court in the office of the Secretary of State and proceed to the joint assembly.

VI. That the President pro tem. of the Senate, the Speaker of the House, Chaplains of both House and Senate, Supreme Judges, Governor and Governor-elect, Lieutenant-Governor and Lieutenant-Governor-elect, together with all State officers, shall occupy seats on the Speaker's stand.

VII. Proceedings in joint assembly.

Roll call of Senate.

Roll call of House.

Prayer.

Administration of oath to Governor-elect, Alexander M. Dockery, by Chief Justice, Burgess.

Inaugural address.

VIII. Dissolution of joint session.

IX. Lieutenant-Governor, John A. Lee, escorted to the Senate, where inaugural ceremonies take place.

Respectfully submitted,  
THOMAS L. RUBEY, Chairman.

Which was read.

Senator Morton called up House joint resolution requesting our Senators and Representatives in Congress to co-operate with the Texas delegation in securing appropriations for the repair and improvement of Galveston harbor.

Senator Morton moved the adoption of the resolution.

Motion carried and resolution adopted.

The message received from the Governor was read.

On motion of Senator Rubey, the Senate adjourned until 10 a. m. Monday.

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#### NINTH DAY—Monday, January 14, 1901.

Senate met pursuant to adjournment.

President Bolte in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

A message from the Governor, through his Private Secretary, Mr. Moore.

Senator Clay presented a petition from citizens of the 26th Senatorial district favoring passage of game and fish laws.

Senator Martin (of Saline) presented a like petition from citizens of the 15th Senatorial district.

Senator Matthews presented a like petition from citizens of the 25th Senatorial district.

Senator Bradley introduced Senate bill No. 55, entitled

An act to repeal section 8861, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Certain persons declared to be peddlers," and enact a new section in lieu thereof, to be known as section 8861;

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 51, entitled

An act to amend section 8867, chapter 140 of the Revised Statutes, entitled "Rate of tax on peddlers' license;"

Read first time and 150 copies ordered printed.

The following communication from the Governor was read:

State of Missouri, Executive Department,  
Jefferson City, January 14, 1901.

To the Senate and House of Representatives:

It becomes my duty under section 8, article 5, Constitution of Missouri, at each session of the General Assembly to communicate to you each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and the date, the date of the commutation, pardon or reprieve, and the reason for granting the same.

Under this constitutional provision I submit herewith my report (through the House of Representatives).

Respectfully,  
LON V. STEPHENS,  
Governor.

On motion of Senator Rubey, the Senate took a recess subject to the call of the President.

The Senate resumed session.

President pro tem. Farris in the chair.

Senator Fields offered the following resolution:

Whereas, The term of office of Hon. A. H. Bolte, Lieutenant-Governor of Missouri is about to expire, and

Whereas, The Senate fully appreciates the ability and fairness with which he has presided over this body during his term of office; therefore be it

Resolved, That the thanks of the Senate are hereby tendered to Lieutenant-Governor Bolte for the kindly and impartial manner in which he has discharged the duties of his office and that the best wishes of the members of this body go with him on his retirement to private life.

Which was read and adopted.

Senator Morton moved that the Secretary be directed to furnish Lieutenant-Governor Bolte with an engrossed copy of the foregoing resolution and that the same be signed by all the members of the Senate.

The motion prevailed.

The hour, as required by law, having arrived,

The Senate, on motion of Senator Rubey, formed into line and proceeded in a body to the Hall of the House of Representatives to witness the inauguration of the Governor, during which time President announced a recess.

The Senate reconvened, with the President in the chair, whereupon Gavon D. Burgess, Chief Justice of the Supreme Court, administered the oath of office to Lieutenant-Governor-elect John A. Lee.

Retiring Lieutenant-Governor August H. Bolte delivered a farewell address, and then introduced Lieutenant-Governor Lee, who, after addressing the Senate, assumed the chair.

Senator Morton called up the resolution providing for appointment of Committee on Rules.

Senator Walker moved that the resolution be adopted.

Senator Morton moved that the committee appointed under the resolution be made the permanent Committee on Rules.

The latter motion prevailed.

The resolution was then adopted, as amended.

On motion of Senator Farris, the Senate adjourned until 10 a. m. tomorrow.

## TENTH DAY—Tuesday, January 15, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The roll of the Senate was called and the following Senators answered to their names:

### Present—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Drabelle,        | Matthews,   | Stubbs,    |
| Bradley,  | Farris,          | Morton,     | Sullivan,  |
| Clarke,   | Fields,          | Orchard,    | Tandy,     |
| Clay,     | Haynes,          | Ramp,       | Thomas,    |
| Collins,  | Heather,         | Rollins,    | Walker,    |
| Costello, | Jewell,          | Rubey,      | Whaley,    |
| Davisson, | Marshall,        | Schoenlaub, | Zevely—31. |
| Dowell,   | Martin (Saline), | Smith,      |            |

### Sick—Senators

|         |      |                     |
|---------|------|---------------------|
| Cooper, | Lee, | Martin (St. Louis), |
|---------|------|---------------------|

The journal of yesterday was read and approved.

A message from the Governor, through his Private Secretary, Mr. Moore, was received:

Senators Walker and Davisson each presented petitions from their respective districts, asking for the passage of an act regulating practice of veterinary medicine and veterinary surgery.

Which were read.

Senators Lee and Ramp presented petitions from citizens of their respective districts, asking for the passage of laws regarding game and fish.

Which were read.

The President announced the Committee on Rules as follows:

Senators Walker, Heather, Bradley, Farris, Matthews.

The President called Senator Haynes to the chair.

Senator Clay introduced Senate bill No. 52, entitled

An act to amend section 9144, article 2, chapter 149, Revised Statutes of Missouri, 1899;

Read first time and 150 copies ordered printed.

Senator Farris (by request) introduced Senate bill No. 53, entitled

An act to amend section 6515 of article 22, chapter 91, Revised Statutes of Missouri of 1899, entitled "Towns and villages;"

Read first time and 150 copies ordered printed.

Senator Zevely introduced Senate bill No. 54, entitled

An act to amend sections 4622 and 4624, chapter 63, Revised Statutes of 1899, in relation to wills;

Read first time and 150 copies ordered printed.

Senator Lee introduced Senate bill No. 55, entitled

An act relating to the propagation and preservation of game, animals, birds and fish;

Read first time and 150 copies ordered printed.

Senator Fields, from the Special Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

On motion of Senator Farris, the rules were suspended and Senate bill No. 24, entitled

An act to amend article I of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Was taken up, read a third time and placed upon its passage and passed by the following vote:

YEAS—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Drabelle,        | Matthews,   | Stubbs,    |
| Bradley,  | Farris,          | Morton,     | Sullivan,  |
| Clarke,   | Fields,          | Orchard,    | Tandy,     |
| Clay,     | Haynes,          | Ramp,       | Thomas,    |
| Collins,  | Heather,         | Rollins,    | Walker,    |
| Costello, | Jewell,          | Rubey,      | Whaley,    |
| Davisson, | Marshall,        | Schoenlaub, | Zevely—31. |
| Dowell,   | Martin (Saline), | Smith,      |            |

SICK—Senators

|         |      |                     |
|---------|------|---------------------|
| Cooper, | Lee, | Martin (St. Louis), |
|---------|------|---------------------|

The emergency clause to the bill was passed by the following vote:

YEAS—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Drabelle,        | Matthews,   | Stubbs,    |
| Bradley,  | Farris,          | Morton,     | Sullivan,  |
| Clarke,   | Fields,          | Orchard,    | Tandy,     |
| Clay,     | Haynes,          | Ramp,       | Thomas,    |
| Collins,  | Heather,         | Rollins,    | Walker,    |
| Costello, | Jewell,          | Rubey,      | Whaley,    |
| Davisson, | Marshall,        | Schoenlaub, | Zevely—31. |
| Dowell,   | Martin (Saline), | Smith,      |            |

SICK—Senators

|         |      |                     |
|---------|------|---------------------|
| Cooper, | Lee, | Martin (St. Louis), |
|---------|------|---------------------|

The title of the bill was read and agreed to.

Senator Farris moved to reconsider the vote by which the bill and emergency clause was passed.

Senator Matthews moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Fields, the Senate went into executive session.

Executive session having dissolved, the Senate was called to order, Senator Haynes in the chair.

On motion of Senator Walker, the Senate adjourned until 10 a. m. tomorrow.

## ELEVENTH DAY—Wednesday, January 16, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Lee presented petition from citizens of the Twenty-first Senatorial district, asking for passage of game and fish laws;

Which was read.

Senator Zevely presented a like petition from citizens of the Twenty-seventh Senatorial district;

Which was read.

Senator Stubbs presented a petition from citizens of the First Senatorial district, asking for passage of law governing practice of veterinary medicine and veterinary surgery;

Which was read.

Senator Marshall offered the following resolution:

Resolved, That Mrs. Jno. M. Nuckols and Capt. J. M. Leftwich be added to the clerical force of the Senate as of date January 3rd, 1901, at the compensation of \$2.50 per day.

Which was read.

Roll call was demanded on the resolution and the resolution was adopted by the following vote:

## YEAS—Senators

Clarke,  
Costello,  
Davisson,  
Drabelle,  
Farris,

Haynes,  
Heather,  
Jewell,  
Marshall,  
Matthews,

Morton,  
Orchard,  
Ramp,  
Smith,

Stubbs,  
Thomas,  
Whaley,  
Zevely—18.

## NAYS—Senators

Biggs,  
Bradley,  
Clay,

Dowell,  
Lee,  
Martin,

Rollins,  
Rubey,  
Sullivan,

Tandy,  
Walker—11.

## Absent—Senators

Collins,

Fields,

Schoenlaub,

## Sick—Senators

Cooper,

Martin (St. Louis),

The President called Senator Drabelle to the chair.

Senator Lee introduced Senate joint and concurrent resolution No. 3, entitled

Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, prohibiting the General Assembly from enacting any laws authorizing the formation of private corporations or authorizing private corporations organized in any other State to do business in this State as a corporation, and repealing section one of article twelve of the Constitution of the State of Missouri, and enacting a new section in lieu thereof, to be known as section one, article twelve;

Read first time and 150 copies ordered printed.

Senator Morton (by request) introduced Senate bill No. 56, entitled An act to establish the office of Fire Marshal of the State of Missouri;

Read first time and 150 copies ordered printed.

Senator Smith (by request) introduced Senate bill No. 57, entitled

An act to prohibit the manufacture, sale and distribution of cigarettes or cigarette wrappers and providing penalties for the violation of the provisions thereof;

Read first time and 150 copies ordered printed.

Senator Zevely (by request) introduced Senate bill No. 58, entitled

An act to amend section 5157 of article 1, chapter 83, Revised Statutes of 1899, entitled "Bonds, municipal," etc;

Read first time and 150 copies ordered printed.

Senator Lee introduced Senate bill No. 59, entitled

An act to provide for the taxing of franchises and requiring the State Board of Equalization to value, assess and apportion the same, and providing penalties for violating this act;

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 60, entitled

An act to repeal section 1723 of article 111, chapter 14 of Revised Statutes of 1899, entitled "Courts of record;"

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 61, entitled

An act to amend article 8, chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections, by adding a new section thereto, prohibiting interference by the police with registration of voters and elections, and providing penalties therefor;

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 62, entitled

An act to provide that in certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which such city is sued;

Read first time and 150 copies ordered printed.

Senator Farris offered the following resolution:

Resolved, That the committee appointed by the Governor to visit the various institutions of the State have time extended ten days in which to make its report.

Which was read and adopted.

On motion of Senator Farris, the Senate went into executive session.

Executive session having dissolved, the Senate resumed session with Senator Drabelle in the chair.

On motion of Senator Fields, the Senate adjourned until 10 a. m. to-morrow.

## TWELFTH DAY—Thursday, January 17, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The journal of yesterday was read and approved.

Senator Thomas presented petition from citizens of the Twenty-eighth Senatorial district asking for passage of game and fish laws.

Senator Thomas presented petition from citizens of the Twenty-eighth Senatorial district asking for the passage of veterinary law.

Senator Dowell introduced Senate bill No. 63, entitled

An act to regulate the practice of veterinary medicine, veterinary surgery, or any branch thereof, including veterinary dentistry, in the State of Missouri, and prescribing penalty for the violation of the same;

Read first time and 150 copies ordered printed.

Senator Tandy introduced Senate bill No. 64, entitled

An act amending article five (5) of chapter 91 of the Revised Statutes of 1899, providing for the government of cities of the fourth class;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 65, entitled

An act to repeal section 9425, article 2 of Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Matthews introduced Senate bill No. 66, entitled

An act to repeal section 822 of article 11, chapter 8 of the Revised Statutes of Missouri, relating to change of venue;

Read first time and 150 copies ordered printed.

Senator Matthews introduced Senate bill No. 67, entitled

An act authorizing assessors in certain counties to issue building permits;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have, or which may hereafter have, over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees, defining offenses, and prescribing penalties for violating the provisions of this act;

Read first time, and, on motion of Senator Drabelle, the rules were suspended and 1,000 copies of the bill ordered printed.

Senator Stubbs introduced Senate bill No. 69, entitled

An act to amend section 7761, article 5, chapter 118 of the Revised Statutes of Missouri for the year 1899, entitled "Commitment of incorrigible boys; proceedings;"

Read first time and 150 copies ordered printed.

Senator Stubbs introduced Senate bill No. 70, entitled

An act to amend article six of chapter 118 of the Revised Statutes of Missouri for the year 1899, entitled "Industrial home for girls," by adding two new sections thereto, to be known as sections 7788a and 7788b;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 71, entitled

An act to regulate the salary and fees of the office of recorder of deeds, and the number of and the salary and compensation of deputy recorders of deeds and clerks and copyists employed in said office in cities now having or which hereafter may have 300,000 inhabitants or more, and to provide for the payment of the salaries and compensations

of the recorder of deeds, deputy recorders of deeds and clerks and copyists in said office of recorder of deeds;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 72, entitled

An act to amend section 7229, article 8, chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—board of examiners;

Read first time and 150 copies ordered printed.

The following message from the Governor was received, through his Private Secretary, and read:

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, )  
JEFFERSON CITY, January 17, 1901. }

To the President of the Senate:

I have the honor herewith to transmit to the Senate the Second Biennial Report of the Board of Managers of the Confederate Home of Missouri.

Respectfully,

A. M. DOCKERY,

[For report, see Appendix.]

On motion of Senator Walker, the Senate took recess until 11 o'clock.

Recess having expired, the Senate was called to order by the President.

Senator Walker, from the Committee on Rules for the government of the Senate, submitted the following report:

To the Senate:

The undersigned, your special committee appointed to consider and report rules for the government of the Senate in the transaction of its business, having duly considered the same, do herewith respectfully submit the following, which are hereby recommended for adoption by the Senate:

## RULES.

### OPENING OF THE DAILY SITTINGS OF THE SENATE.

Rule 1. The President shall take the chair every day at the hour to which the Senate has previously adjourned, and shall call the Senate to order, and, after prayer by the Chaplain, shall cause the journal of the preceding day to be read, but the reading thereof may be dispensed with if so ordered by a vote of the Senate. If less than a majority of the Senators are present, they may adjourn from day to day and compel the attendance of absent Senators; and any two Senators, at any time after the hour has arrived to which the Senate adjourned, a quorum not being present, may have a call of the Senate and have the names of the absentees entered on the journal.

### CALL OF THE SENATE.

Rule 2. Upon the call of the Senate, or in taking the yeas and nays on any question, the names of the Senators shall be called alphabetically.

Rule 3. Upon the call of the Senate, the names of the Senators shall be called by the Secretary and the absentees noted, after which the names of the absentees shall again be called. The doors shall then be shut, and those for whom no sufficient excuses are made may, by order of a majority of those present, if ten in number, be taken into custody as they appear, or be sent for and taken into custody wherever found by the Sergeant-at-Arms or other person appointed by the President for that purpose, at the expense of such absent Senator or Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient.

### POWERS AND DUTIES OF THE PRESIDENT.

Rule 4. It shall be the duty of the President to preserve order, and he may speak on all questions of order in preference to any Senator, rising from his seat for that purpose, and shall decide all questions of order, subject to an appeal to the Senate; and all questions of order shall be noted by the Secretary, with the decision.

Rule 5. Question shall be distinctly put in this form, to wit: "As many as are of the opinion that (as the question may be) say aye;" and after the affirmative voice is expressed, "as many as are of the contrary opinion, say no." If the Presi-

dent doubts, or division is called for by two or more Senators, the Senate shall divide; those in the affirmative of the question shall first rise from their seats, and afterward those in the negative.

Rule 6. All committees shall be appointed by the President, unless otherwise directed by the Senate.

Rule 7. Every Senator who shall be within the bar of the Senate when a question is put shall vote, unless the Senate, for special reasons, excuse him. All motions to excuse a Senator from voting shall be made before the Senate divides, or before the call for ayes and noes is commenced. In taking the ayes and noes, each Senator shall declare distinctly his vote, aye or no.

Rule 8. Every motion shall be reduced to writing, if the President or any Senator requires it.

Rule 9. The President may at any time leave the chair and call any Senator thereto, who shall be President of the Senate for the time being, and the President shall, at pleasure, resume the chair; and if the Senator called to the chair shall object, and the President insists, the question shall be decided by the Senate.

Rule 10. The President shall rise to put a question, but may state it sitting.

Rule 11. The President shall sign all acts, joint resolutions and addresses, and all writs, warrants and subpoenas issued by order of the Senate shall be under his hand and attested by the Secretary.

Rule 12. In case of disturbance or disorderly conduct in the lobby or galleries, the President shall have power to order the same cleared, and shall have general control of the Senate chamber and the employees thereof, unless otherwise ordered by the Senate.

Rule 13. The Senate shall choose a President pro tempore to preside in case of death, absence, impeachment, failure to qualify or resignation of the Lieutenant-Governor, or when he shall hold the office of Governor; and if for any reason the President pro tempore so chosen be absent or the office vacant, the Senate may, on motion of any Senator present, proceed to elect a President pro tempore, to hold the office at the pleasure of the Senate, or during such absence or other incapacity.

Rule 14. Stenographers and reporters wishing to take down the debates and proceedings of the Senate may be admitted by the President to the reporters' table on the floor of the Senate, upon signing a register kept by the Secretary of the Senate for that purpose, and under such further regulations as the President may prescribe, who shall also assign a seat to the Official Reporter of the Senate.

#### SECRETARY—HIS DUTIES.

Rule 15. It shall be the duty of the Secretary to keep an exact journal of the proceedings of the Senate, and he shall, from time to time, be subject to further orders, as the Senate may direct.

Rule 16. When a bill or joint resolution passes, it shall be certified by the Secretary, noting the day of its passage at the foot thereof.

Rule 17. When a motion is made for an amendment to any bill or resolution, the mover's name shall be inserted on the journal.

#### SERGEANT-AT-ARMS—HIS DUTIES.

Rule 18. It shall be the duty of the Sergeant-at-Arms to attend the Senate during its sittings, to keep order in the lobby, to require all persons therein to be seated, and to execute the commands of the Senate and the orders of the President, together with all such process issued by authority thereof as shall be directed to him by the President. And he shall five minutes before the opening of each session clear the floor of the Senate chamber of all persons not entitled to the privilege of the floor.

#### DOORKEEPER—HIS DUTIES.

Rule 19. It shall be the duty of the Doorkeeper to obey the orders of the Senate and its presiding officer.

#### SWORN TO SECRECY.

Rule 20. The Secretary, Sergeant-at-Arms and Doorkeeper shall be sworn to keep the secrets of the Senate when in secret session.

### OF BILLS.

#### SHALL BE READ THREE TIMES.

Rule 21. Every bill shall be read on three different days.

Rule 22. No law shall be passed except by bill, and no bill shall be so amended in its passage through the Senate as to change its original purpose (Constitution Art. 4, § 26.)

Rule 23. Bills, whether they originate in the Senate or in the House, may be amended or rejected. (Constitution, Art. 4, Sec. 26.)

Rule 24. No bill shall be considered for final passage unless the same has been reported on by a committee and printed for the use of the Senators; provided that all bills referred to standing committees shall be reported on within ten days after the same have been referred, unless for good cause shown further time be granted, and after the time has been fixed for final adjournment all bills in the control of standing committees shall be reported from said committees within twenty-four hours and before final adjournment. (Constitution, Art. 4, Sec. 26.)

Rule 25. All bills reported to the Senate from any committee shall lie on the table one day before being ordered to engrossment, and bills, when reported engrossed shall lie over one day before a third reading thereof.

Rule 26. No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article) shall contain more than one subject, which shall be clearly expressed in its title. (Constitution, Art. 4, Sec. 23.)

#### SIGNING BILLS.

Rule 27. No bill shall become a law until after the same shall have been signed by the presiding officer of the Senate, in open session; and before the presiding officer shall affix his signature to any bill, he shall suspend all other business, declare that the bill will now be read, and that if no objection be made, he will sign the same to the end that it may become a law. The bill shall then be read at length, and, if no objection be made, he shall, in the presence of the Senate, in open session, and before any other business is entertained, affix his signature, which fact shall be noted on the journal. If any Senator shall object that any substitution, omission or insertion has occurred, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the Senate or House, or that in any particular clause Art. 4 of the Constitution has been violated in its passage, such objection shall be passed upon by the Senate, and, if sustained, then any five members may embody the same, over their signatures, in a written protest, under oath, against the signing of the bill. Said protest, when offered in the Senate, shall be noted upon the journal, and the original shall be annexed to the bill, to be considered by the Governor in connection therewith; and if the bill be one that has not been first signed by the presiding officer of the House, it shall immediately be sent to the House after it has been so read and signed in the Senate, for such action thereon in the House as is prescribed by the Constitution. (Constitution, Art. 4, Sec. 37.)

#### APPROVAL OF THE GOVERNOR.

Rule 28. When a bill has been signed as provided for in the preceding rule, it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, to present the same, in person, on the same day on which it was signed as aforesaid, to the Governor, take his receipt therefor, and enter the fact of such delivery, and the time thereof, upon the journal. Every bill presented to the Governor and returned within ten days to the House in which the same originated, with the approval of the Governor, shall become a law, unless it be in violation of some provision of the Constitution. (Constitution, Art. 4, Sec. 38.)

#### GOVERNOR'S VETO.

Rule 29. Bills vetoed by the Governor and returned to the Senate by the Governor or by the House shall stand as reconsidered, and such action shall be taken thereon as is prescribed by the Constitution and by the Joint Rules of the Senate and House of Representatives. (Constitution, Art. 4, Sec. 39.)

#### PRINTING BILLS.

Rule 30. One hundred and fifty copies of all bills and joint and concurrent resolutions shall be printed after their first reading, and before a second reading shall be permitted, unless otherwise ordered, and if the bill shall not be thereafter amended it shall not be again printed, as provided in Rule 33. Unless otherwise ordered, bills and resolutions printed for the Senate shall be printed in pamphlet form, and those for information shall so state by conspicuous headings, and all such bills and resolutions introduced in the Senate shall be printed and distributed in the order in which they are numbered, unless otherwise ordered by the Senate.

#### EMERGENCY CLAUSE.

Rule 31. On all bills containing an emergency clause, the vote shall be taken on the bill, excluding the emergency clause, and if the bill receive the vote of a majority of all the Senators-elect, then the vote shall be taken on the emergency clause, and if two-thirds of the Senators-elect vote in favor of it, the bill takes effect at the time described in the preamble of the emergency clause thereof. (Constitution, Art. 4, Sec. 36.)

#### DIVISION OF QUESTION.

Rule 32. If the question in debate contain several points, any Senator may have the same divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Senate; but on motion to strike out and insert, it shall not be in order to move for a division of the question, but a rejection of the motion to strike out and insert a different proposition shall not prevent a subsequent motion simply to strike out, nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

#### AMENDMENTS.

Rule 33. All amendments adopted by the Senate to a bill pending and originating in the same shall be incorporated with the bill by engrossment, and the bill, thus engrossed, shall be printed for the use of the Senators before its final pas-

sage. The engrossing and printing shall be under the supervision of a committee, whose report to the Senate shall set forth in writing that they find the bill truly engrossed and that the printed copies furnished to the Senators are correct. (Const., Art. 4, Sec. 29.)

Rule 34. If a bill passed by the Senate be returned thereto, amended by the House, the Senate shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the Senators, before final action on such amendments. (Cont., Art. 4, Sec. 30.)

Rule 35. No amendments of bills by the House shall be concurred in by the Senate except by a vote of the majority of the Senators elected, taken by yeas and nays, and the names of those voting for and against recorded upon the journal, and if amendments are concurred in by the Senate, the bill, as amended, shall be submitted to the vote of the Senate by a yeas and nays vote, and the names of those voting for or against recorded in the journal; and reports of committees of conference shall be adopted in the Senate only by a vote of a majority of the Senators elected thereto, taken by yeas and nays, and the names of those voting recorded on the journal. (Const., Art. 4, Sec. 32.)

Rule 36. No act shall be amended by providing that designated words be stricken out and others inserted in lieu thereof, but the words to be stricken out, or the words to be inserted, or the words to be stricken out and those inserted in lieu thereof, together with the act or section amended, shall be set forth in full as amended. (Const., Art. 4, Sec. 34.)

#### FINAL PASSAGE, AYES AND NOES.

Rule 37. To effect the passage of a bill, on the final reading thereof, the vote shall be taken by ayes and noes, and the names of the Senators voting for and against the same shall be entered and recorded on the journal, and if a majority of the Senators-elect shall have voted in favor thereof, the bill shall be declared passed. (Const., Art. 4, Sec. 31.)

#### MOTION TO RECONSIDER.

Rule 38. When a bill is put upon its final passage, and, failing to pass, a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the Senate proceeds to any other business. (Const., Art. 4, Sec. 35.)

#### ACTS SET FORTH AT LENGTH.

Rule 39. No act shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length, as if it were an original act. (Const., Art. 4, Sec. 33.)

#### OF DECORUM AND DEBATE.

Rule 40. When a Senator is about to speak, he should rise and respectfully address himself to the President standing at his seat and wait until his name or designation is announced, when he shall proceed, addressing himself always to the chair.

Rule 41. If two or more Senators rise at once, the President shall name the Senator who is to speak first, the other rising having the preference next to speak.

Rule 42. The President shall preserve decorum, and if any Senator transgresses the rules of the Senate, the President shall, or any Senator may, call him to order, in which case the Senator called to order shall immediately sit down, unless permitted to explain; and the Senate, if appealed to, shall decide on the case. If there be no appeal, the decision of the chair shall be submitted to. If the decision of the chair shall be in favor of the Senator called to order, he shall be at liberty to proceed.

Rule 43. If a Senator is called to order for words spoken in debate, the Senator calling him to order shall repeat the words excepted to, and they shall be taken down in writing on the Secretary's table; and no Senator shall be held to answer, or be subject to the censure of the Senate, for words spoken in debate, if any other Senator has spoken or business has intervened after the words spoken and before exception to them has been taken.

Rule 44. No Senator shall speak more than once to the same question without leave of the Senate, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every Senator choosing to speak shall have spoken.

Rule 45. In proceedings and debates of the Senate, the Senators shall not be spoken of or addressed by each other by their individual names.

#### SMOKING PROHIBITED.

Rule 46. Smoking shall not be allowed in the Senate chamber.

#### PREVIOUS QUESTION.

Rule 47. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted on demand of two Senators, and sustained by a vote of a majority of the Senators present, and its effect shall put an end to all debate, and bring the Senate to a direct vote upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main question. On demand for the previous question, a call of the Senate shall be in order, but after a majority have sustained such a motion, no call shall be in order prior to the decision on the main question.

Rule 48. On motion for the previous question, no debate shall be allowed, and all incidental questions of order arising after the motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. If, on a vote for the previous question, a majority of the Senators vote in the negative, then the further consideration of the subject matter before the Senate shall be postponed for that day.

#### MOTION, HOW PUT.

Rule 49. When a motion is made and seconded, it shall be stated by the President, or, being in writing, it shall be handed to and read aloud by the Secretary before debated.

Rule 50. After a motion is stated by the President, it shall be deemed to be in the possession of the Senate, but may be withdrawn at any time before a decision or amendment, but afterward only with the consent of the Senate.

Rule 51. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are here arranged; and pending the motion to lay on the table, the merits of the question shall not be discussed; and no motion to postpone to a day certain, to commit or postpone indefinitely, being decided, shall again be allowed on the same day, at the same stage of the bill or proposition.

Rule 52. A motion to adjourn and a motion to fix the day to which the Senate shall adjourn shall always be in order, unless a Senator is speaking, or the ayes and nays are being taken, or a call is being made, and shall be decided without debate; and no Senator shall leave his seat until the result is declared.

#### PRIVILEGED PERSONS.

Rule 53. No person except members of the House of Representatives, their clerks, the Governor, the Secretary of State, Judges of the Supreme Court or circuit courts, Attorney-General and members of Congress, shall be admitted within the bar of the Senate during the sitting of the same, unless invited by the Senate.

#### QUESTIONS, HOW VOTED ON.

Rule 54. All questions, whether in committee or Senate, shall be propounded in the order in which they were moved, except privileged questions, which shall be propounded as stated in rule 51; and in filling up blanks, the largest sum and longest time shall be put first.

#### BILLS, PETITIONS, ETC.—PURPORT TO BE STATED.

Rule 55. When any bill, petition, memorial or remonstrance is presented to the Senate, the Senator presenting the same shall give a concise statement of the purport thereof, and it shall be disposed of according to its character without reading, unless the reading thereof, if a bill, be required by one or more Senators, or if a petition, memorial or remonstrance, by two or more Senators.

Rule 56. On the discussion of any business which may, in the opinion of a Senator, require secrecy, the President shall order the gallery to be cleared and during the discussion the doors shall remain closed, unless otherwise directed by the Senate. When nominations shall be made in writing by the Governor of the State to the Senate for confirmation, such confirmations shall, without debate, be referred to the appropriate committee for investigation, and their report shall be made to the executive session as soon as practicable.

#### TIMES OF MEETING.

Rule 57. The time of meeting by the Senate, unless otherwise ordered, shall be 10 o'clock in the forenoon.

#### PROTEST OF SENATOR—HOW ENTERED.

Rule 58. Any Senator voting in the minority on any subject, and protesting against the vote of the Senate, may have his protest entered on the journal, if the tenor and language of such protest would have been admissible in the discussion of the subject.

#### JOURNAL—AYES AND NOES.

Rule 59. The Senate shall, from time to time, publish an accurate journal of its proceedings, and the yeas and nays of any question shall be entered on the journal.

Rule 60. When a question has once been decided by a vote of the Senate, any Senator voting on that side which prevails may move for a reconsideration of such vote at any time within three days of actual session, after the day on which the vote was had, except votes ordering bills to engrossment, which may be reconsidered at any time before third reading of such bills; and all motions to reconsider shall be decided by a majority vote of the Senate.

#### INDEFINITE POSTPONEMENT.

Rule 61. When a question is postponed indefinitely, the same shall not be acted on during the session.

## BILLS ENGROSSED.

Rule 62. The engrossment of all bills ordered shall be executed in a fair round hand.

## AYES AND NOES.

Rule 63. The ayes and noes shall not be ordered on any question after a vote has been taken thereon and declared by the President.

## ABSENTEES.

Rule 64. No Senator shall absent himself from the sessions of the Senate unless he have leave or be sick, or unable to attend.

## THREE READINGS, WHEN REQUIRED.

Rule 65. All resolutions proposing amendments to the Constitution, and all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, in the introduction and form of proceedings on them in the Senate, in a similar manner with bills; and all other orders and resolutions to which the concurrence of the House may be necessary (except for adjournment) shall lie over one day, unless the Senate shall otherwise expressly allow by a vote of two-thirds of those present.

## RULES AND ORDER OF BUSINESS—HOW CHANGED.

Rule 66. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor, and then only by a vote of at least a majority of the Senators present; nor shall any rule be suspended or order of business as established by the rules be postponed or changed, except by such vote.

## COMMITTEE OF THE WHOLE.

Rule 67. It shall be a standing order of the day throughout the session for the Senate to resolve itself into a Committee of the Whole.

Rule 68. In forming the Committee of the Whole, the President shall leave the chair and appoint a chairman to preside.

Rule 69. Upon a bill being committed to Committee of the Whole, the same shall be read by the Secretary, and then read and debated by clauses, leaving the preamble to be considered last. The body of the bill shall not be defaced or interlined. After the report, the bill shall be subject to be debated and amended by clauses, before a question to engross and print it be taken.

Rule 70. All amendments made to an original motion in committee shall be incorporated with the motion and so reported.

Rule 71. All amendments made to reports, resolutions and other matter committed to Committee of the Whole shall be noted and reported as in case of a bill.

Rule 72. The rules and proceedings of the Senate shall be observed in Committee of the Whole so far as they are applicable.

Rule 73. A majority of the Senators-elect shall be a quorum to do business: and if the committee finds itself without a quorum, the Chairman shall cause the roll of the Senate to be called, and thereupon the Committee shall rise, the President resume the chair, and the Chairman shall report the cause of rising of the committee and the names of the absentees to the Senate, which shall be entered on the journal.

Rule 74. A motion for the rising of the Committee of the Whole shall always be in order, unless a member of the committee is speaking or a vote is being taken, and shall be decided without debate.

## STANDING COMMITTEES OF THE SENATE.

Rule 75. The following standing committees shall be appointed by the President of the Senate with leave to report at any time, to wit:

1. Committee on Judiciary.

2. Committee on Appropriations.

Each to consist of nine members.

3. Committee on Criminal Jurisprudence.

4. Committee on Railroads and Internal Improvements.

5. Committee on Private Corporations.

6. Committee on Municipal Corporations.

7. Committee on Ways and Means.

8. Committee on Agriculture, Roads and Highways, Bridges and Ferries.

9. Committee on Labor, Mines and Manufactories.

10. Committee on University, Normal Schools, Agricultural College and School of Mines.

11. Committee on Accounts and Miscellaneous Laws.

Each to consist of seven members.

12. Committee on Life and Accident Insurance and Fraternal Associations.

13. Committee on Fire, Marine and Tornado Insurance.

14. Committee on Privileges and Elections.

15. Committee on Militia.

16. Committee on Penitentiary and Reform Schools.
  17. Committee on Eleemosynary Institutions and Public Health.
  18. Committee on County Courts and Justices of the Peace.
  19. Committee on Education, Text-books and Public Schools.
  20. Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.
  21. Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs.
  22. Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains.
  23. Committee on Printing and Joint Printing.
  24. Committee on Joint Rules and Unfinished Business.
  25. Committee on Engrossed Bills.
  26. Committee on Enrolled Bills.
- Each of said committees to consist of five members.
27. Committee on Louisiana Purchase Centennial, to consist of eleven members.
  28. Committee on Representative Apportionment and Redistricting the State, to consist of fifteen members, no two of whom shall reside in the same Congressional District.

## DUTIES OF COMMITTEES.

1. The duty of the Committee on Judiciary shall be to consider all questions relating to the judicial department of the State referred to them by the Senate, to examine and report to the Senate what statutes, if any, need to be changed, modified, repealed or amended to make them conform to the Constitution, and to examine into the constitutionality of all bills referred to them by the Senate, and to examine into and report upon all matters relating to administration of estates, probate law, guardianship and curators, apprentices, descent and distributions and such other matters as may be referred to them by the Senate.
2. The Committee on Appropriations shall report upon all bills and measures and questions referred to them pertaining to the general appropriations and disbursement of public money.
3. The Committee on Criminal Jurisprudence shall consider and report upon all matters referred to them relating to the criminal law and criminal procedure.
4. The Committee on Railroads and Internal Improvements shall take into consideration all petitions and matters and things referred to them concerning railroads, canals, navigable waters or other improvements or means of transportation, and examine the laws in relation thereto, and report their opinions thereon, together with such bills for the encouragement or promotion of internal improvements and regulating transportation as they may deem expedient.
5. The Committee on Private Corporations shall consider all memorials and propositions, report upon all bills relating to corporations other than railroads and insurance companies, referred to them by the Senate.
6. The Committee on Municipal Corporations shall have referred to them all matters relating to municipal corporations, and report upon them by bill or otherwise, as they may deem advisable.
7. The Committee on Ways and Means shall examine and report upon all questions touching the revenue, public debt of the State and interest thereon.
8. The Committee on Agriculture, Roads and Highways, Bridges and Ferries shall examine into and take into consideration such matters and things pertaining to agriculture, roads and bridges and ferries as may be referred to them by the Senate.
9. The Committee on Labor, Mines and Manufactories shall examine all matters referred to them in relation to labor, mines and manufactories, and make such reports thereon as may be necessary.
10. The Committee on University, Agricultural College and School of Mines and Normal Schools shall examine into and report upon all matters referred to them relating to the State University, Agricultural College and School of Mines and normal schools, and suggest such means as will improve their usefulness and enlarge their advantages.
11. The Committee on Accounts and Miscellaneous Laws shall audit all authorized accounts for contingent expenses and accounts of all members and employes for their per diem, mileage and other allowances and report the same to the secretary of the Senate, and shall have referred to them all matters not referable to other committees under these rules, and may report such changes and amendments as to them may seem necessary.
12. The Committee on Life and Accident Insurance and Fraternal Associations shall examine and report upon all matters referred to them in relation to life, accident and fraternal insurance.
13. The Committee on Fire, Marine and Tornado Insurance shall examine and report upon all matters referred to them in relation to fire, marine and tornado insurance.
14. The Committee on Privileges and Elections shall take into consideration and report upon all bills and other matters touching elections which shall be referred to them by the Senate.
15. The Committee on Militia shall take into consideration and report upon all bills referred to them and propositions which to them may seem expedient for the organization, government, disciplining and regulation of the militia.
16. The Committee on Penitentiary and Reform Schools shall examine and report on all matters referred to them in relation to the Penitentiary and Reform Schools, their management and discipline, and report such amendments and changes in the laws governing them as they may deem advisable.
17. The Committee on Eleemosynary Institutions and Public Health shall examine and report upon all matters referred to them in relation to schools for the deaf and

dumb, and blind, and lunatic asylums, the public health and suggest such measures as will advance their utility and economize the administration thereof.

18. The Committee on County Courts and Justices of the Peace shall consider all questions that may be referred to them relating to county courts and justices of the peace and the law regulating the practice and procedure before them.

19. The Committee on Education, Public Schools and Text Books shall examine into and report upon all matters referred to them relating to public schools and suggest such means as will improve the usefulness and enlarge their advantages and examine and report upon all propositions, memorials, petitions or bills relating to education, public schools and text books.

20. The Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government shall examine into and report upon the expediency of all proposed constitutional amendments and all matters relating to the State public buildings and library, and all matters and things referred to them touching amendments to the Constitution of the State, the relation of the State with the United States or any state in the Union, and report their opinion thereon.

21. The Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs shall consider and report all matters referred to them pertaining to the expenditure of the revenue, as well as upon all matters governing fees and salaries and criminal costs.

22. The Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains shall examine and report upon all matters relating to township organization, county boundaries, swamp lands, ditches and drains.

23. The Committee on Printing and Joint Printing shall superintend all printing that may be ordered by the Senate or by the House and Senate jointly and carefully classify and measure the same as by law provided after which the same shall be audited and approved by the chairman of the committee, shall consider all bills relating to printing.

24. The Committee on Rules, Joint Rules and Unfinished Business shall consider and report upon all rules for the government of the Senate, and joint rules when requested by the Senate, and consider all unfinished business referred to them by the Senate.

25. The Committee on Enrolled Bills shall superintend the enrolling clerk and see that all bills and amendments are properly engrossed.

26. The Committee on Enrolled Bills shall superintend the enrolling clerk and examine all bills carefully, compare the same with the bills as engrossed or as finally passed, correct clerical errors, and return the same to the secretary of the Senate with the words "Truly Enrolled" endorsed thereon.

27. The Committee on the Louisiana Purchase Centennial shall consider all bills, resolutions, petitions and memorials that refer to said centennial or other public expositions.

28. The Committee on Representative Apportionment and Redistricting the State shall examine into and report on all matters relating to the division of the State into representative, senatorial, judicial and congressional districts referred to said committee.

Rule 76. Any Senator appointed upon any of said committees may resign at any time by leave of the Senate, or may be transferred by leave of the Senate from one committee to another.

Rule 78. The chairman of each committee designated in these rules shall appoint the clerk or clerks authorized for the committee of which he is chairman, unless otherwise ordered by the Senate.

Rule 78. In cases not provided for by the above rules, the Senate shall be governed by the rules laid down in compend of rules adopted by the Senate of the United States in 1896, and Jefferson's Manual.

#### REPORTS OF COMMITTEES.

Rule 79. Report of special or standing committees of the Senate relating to the appropriation, expenditure or improper use of money, also Senate reports relating to the duty or management of any board of managers, directors, trustees or agents of any of the educational and eleemosynary institutions of the State, or of any State officer, or co-ordinate branch of the State government, shall, without further order, be perpetuated by printing the same in the appendix of the journal.

Rule 80. No report of a committee of conference, or any House amendment to a Senate Bill, shall be declared adopted without the assent of a majority of all the Senators-elect, and the ayes and noes shall be taken thereon and entered upon the journal.

#### REFEERNCES.

Rule 81. When motions are made to refer any subject and different committees shall be proposed, the question of reference shall be in the following order: The Committee of the Whole, a standing committee, a select committee.

Rule 82. No committee shall sit during the sitting of the Senate without special leave.

#### ORDER OF BUSINESS.

Rule 83. The business of the Senate shall be disposed of in the following order:

1. Reading journal.
2. Petitions, memorials and remonstrances.
3. Resolutions.
4. Concurrent resolutions.
5. Joint resolutions.
6. Introductions of bills.
7. Reports of standing committees.

8. Reports of select committees.
9. Second reading of Senate bills.
10. Messages from the House.
11. First reading of House bills.
12. House bills on second reading.
13. Third reading of Senate bills.
14. Bills, reports and other bills on the table, including bills for engrossment.
15. House bills on third reading.
16. Orders of the day.

Rule 84. The President shall, on each day, announce to the Senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered until the class to which it belongs be declared to be in order, but communications from the Governor may be read and reports from the committees on Engrossment and Enrollment received at any time. The first twelve orders shall constitute the business of the first hour of each day's session, known as the morning hour, and shall be called as numerically presented, until completed, commencing each day where the call left off at the close of the previous morning hour, except that the journal should be read each day. The four remaining orders shall constitute the calendar, and shall be called in the order presented, commencing each day, at the close of the morning hour, at the order under call at the close of the last preceding session.

Rule 85. The Secretary at the close of each day, shall make up the special orders in the order in which they occur, stating the nature and time thereof, and deliver the same to the President before the next meeting of the Senate.

All of which is respectfully submitted.

CHARLES J. WALKER, Chairman,  
H. CLAY HEATHER,  
NICK M. BRADLEY.

Which was read.

Senator Farris offered the following amendment to Rule 24:

Amend report of Committee on Rules by striking out of rule 24 all after the word "Senate," in the third line thereof;

Which was read and adopted by the following vote:

#### YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Clarke,  | Jewell,   | Ramp,       | Sullivan,  |
| Collins, | Marshall, | Rollins,    | Tandy,     |
| Davison, | Matthews, | Schoenlaub, | Thomas,    |
| Farris,  | Morton,   | Smith,      | Whaley—18. |
| Haynes,  | Orchard,  |             |            |

#### NAYS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Heather,         | Rubey,     |
| Bradley,  | Drabelle, | Lee,             | Stubbs,    |
| Clay,     | Fields,   | Martin (Saline), | Walker—13. |
| Costello, |           |                  |            |

#### SICK—Senators

|         |                       |
|---------|-----------------------|
| Cooper, | Martin (St. Louis)—2. |
|---------|-----------------------|

The report of the committee, as amended, was then adopted without division.

Senator Walker moved that five hundred copies of the report of the committee be printed in pamphlet form for use of the Senate.

The motion prevailed.

Senator Martin (of Saline) offered the following resolution:

Whereas, There is not a room nor office for the Lieutenant-Governor of Missouri, commensurate with the dignity of that position; and,

Whereas, It is necessary that the President of the Senate should have furnished him suitable and commodious quarters for the transaction of his business; therefore, be it

Resolved, That the Commissioner of the Permanent Seat of Government be and he is hereby instructed to assign suitable rooms or quarters for the use of the Lieutenant-Governor, and that the same be set aside for his use;

Resolved further, That the Door-keeper be and he is hereby instructed to properly prepare said rooms for occupancy by having the same cleaned, painted and papered, and to purchase the proper and necessary articles of furniture for said room at once, and that the Auditing Committee be empowered to audit said accounts, payable out of the contingent fund of the Senate.

Which was read and adopted.

On motion of Senator Fields, the Senate adjourned until 10 a. m. tomorrow.

## THIRTEENTH DAY—Friday, January 18, 1901.

Senate met pursuant to adjournment.

President pro tem. in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Fields introduced Senate bill No. 74, entitled

An act to amend section 6466, of article 19, chapter 91 of the Revised Statutes, entitled "Public libraries and buildings;"

Read first time and 150 copies ordered printed.

A message from the Governor, through his Private Secretary.

(For Message, see Appendix.)

Senator Drabelle introduced Senate bill No. 75, entitled

An act for the review and correction of illegal and unequal tax assessments by proceeding in certiorari, and regulating the procedure thereof;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 76, entitled

An act to amend section 4149, chapter 44, of the Revised Statutes of 1899, entitled "Landlords and tenants," concerning changes of venue;

Read first time and 150 copies ordered printed.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall, and read:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed Senate bill No. 24, entitled

An act to amend article 1, of chapter III, of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7929a, with accompanying amendment.

On motion of Senator Fields, the Senate resolved itself into executive session.

The Senate resumed open session.

On motion of Senator Farris, the Senate took a recess until 11 a. m.

The hour of recess having expired, the Senate was called to order.

President pro tem. Farris in the chair.

The following message was received from the Governor, through his Private Secretary, Mr. Crenshaw, and read:

Executive Department, State of Missouri, Jefferson City, January 18, 1901.  
To the Senate and House of Representatives:

I have the honor to transmit to you (through the House of Representatives) the biennial report of the State Geologist.

Respectfully,

A. M. DOCKERY,  
Governor.

Which was read.

Senator Walker introduced Senate bill No. 77, entitled

An act to repeal sections 727 and 728 of chapter 8, article 7, of Revised Statutes of Missouri for 1899, and relating to bills of excep-

tions in civil suits and to enact in lieu thereof three new sections, to be known as sections 727, 728 and 728a, and to repeal section 813 of chapter 8, of article 10, of Revised Statutes of Missouri, relating to duties of persons in appeals and to enact a new section in lieu thereof, to be known as section 813;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate Joint and Concurrent resolution No. 4

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning the Judicial department;

Read first time and 150 copies ordered printed.

Senator Walker, from the Committee on Joint Rules, submitted the following majority and minority reports:

#### JOINT RULES.

The Committee on Joint Rules presents the following report:  
To the Senate and House of Representatives of the 40th General Assembly of the State of Missouri:

Your Joint Committee on Rules for the government of the Senate and House of Representatives, would most respectfully report that they duly considered said matter, and would recommend that the following be adopted as the Joint Rules of the Senate and House of Representatives of the 41st General Assembly, to wit:

#### JOINT RULES OF THE SENATE AND HOUSE.

Section 1. When the business requires the attendance of the Senate in the Representative chamber, they, with their secretary, shall be conducted within the bar and there be seated; and when so assembled, the President of the Senate shall preside, and every member of the Senate and House of Representatives shall be at liberty to make motions and debate, and the rules of the House of Representatives shall govern as if that the House were in Committee of the Whole House.

Sec. 2. When a message shall be sent from one house to the other, it shall be announced by the Doorkeeper thereof, and the import thereof respectfully communicated to the Speaker or President, as the case may be, by the person by whom it was sent.

Sec. 3. Bills may originate in either house and may be amended or rejected by the other, and every bill shall be read on three different days in each house. (Const., Art. 4, Sec. 26.)

Sec. 4. All amendments adopted by either house to a bill pending and originating in the same shall be incorporated with the bill by engrossment, and the bill as thus engrossed shall be printed for the use of the members before its final passage. The engrossing and printing shall be under the supervision of a committee, whose report to the House shall set forth in writing that they find the bill duly engrossed, and that the printed copies furnished the members are correct. (Const., Art. 4, Sec. 29.)

Sec. 5. If a bill passed by either house be returned thereto amended by the other, the house to which the same is returned shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments. (Const., Art. 4, Sec. 30.)

Sec. 6. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session, and before signing the bill he shall suspend all other business and state that the bill will now be read. If no objections are made, the bill will then be read; after the reading of which he will attach his signature to the same that it may become a law; the signing of the same shall be noted on the journal, and the bill immediately sent to the other house; if objections are made to the fourth reading of the bill, the objections shall then be heard, after which the bill shall take the course as prescribed in section 37, article 4 of the Constitution. (Const., Art. 4, Sec. 37.)

Sec. 7. When a bill has been signed it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, and of the Chief Clerk of the House, if the bill originated in the House, to present the same, in person, on the same day on which it was signed to the Governor, and enter the facts in the journal. Every bill presented to the Governor and returned within ten days approved by him, shall become a law. (Const., Art. 4, Sec. 38.)

Sec. 8. Every bill returned without the approval of the Governor and with his objections thereto, shall stand as reconsidered in the house to which it is returned; the House shall cause the objections of the Governor to be entered on the journal and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objection of the Governor thereto notwithstanding?" The vote upon the question shall be by yeas and noes, and the names entered upon the journal. If two-thirds of all of the members elected to the House vote in the affirmative, the presiding officer of that house shall certify the fact on the roll attesting the same by his signature. The bill, with the objections of the Governor, shall then further be sent to the other house, when like proceedings shall be had in relation thereto. If the bill received a like majority of the votes of all the members elected to that house, the vote being taken by yeas and nays, the presiding officer shall thereupon, in like manner, certify the fact upon the bill. The bill thus certified shall be deposited in the office of the Secretary of State as an au-

thentic act, by the Clerk of the House, if it originated in the House, or the Secretary of the Senate, if it originated in the Senate. The bill shall become a law in the same manner and with like effect as if it had received the approval of the Governor. (Const., Art. 4, Sec. 39.)

Sec. 9. All orders and resolutions requiring the approbation of the Governor shall also be previously examined and signed, and shall be presented in the same manner and by the same person as provided in case of bills.

Sec. 10. When a bill or resolution which shall have passed one house shall be signed in the other, notice thereof shall be given the house in which the same originated.

Sec. 11. When any papers may come officially before either house of the General Assembly, or any communication of the Governor, and are proper to be acted upon by both houses, the house before whom such papers are laid, or to whom such communications are made, as soon as they have proceeded and acted upon the same, shall lay a copy before the other house.

Sec. 12. When a vacancy shall happen in either house notice thereof shall be given to the other house.

Sec. 13. All messages and communications between the two houses shall be conveyed by the clerk of the house originating the same.

Sec. 14. When a bill has been reported upon by a committee of either house and ordered to engrossment, three hundred copies shall be printed, seventy-five for the use of the Senate and two hundred and twenty-five for the use of the House, and when the passage of the bill is reported to the other house the officer reporting it shall deliver the printed copies with the original bill.

Sec. 15. The committees of the Senate and House on Printing shall constitute the Joint Committee on Printing of the two houses, to whom shall be referred all reports and documents from the eleemosynary institutions of the State, the penitentiary, all reports from the heads of departments and special committee documents and evidence required to be printed by law or by order of either or both houses: Provided, however, when either house shall pass favorably upon any report or documents, 1,000 copies each shall be printed for the appendix to the House and Senate journals, if so ordered by either house, in addition to the number required for the use of the Senate and House, or other purposes as ordered.

The chairman of the Senate committees shall be chairman of the joint committees.

CHARLES J. WALKER, Chairman,  
FRANK H. FARRIS,  
H. CLAY HEATHER,  
NICK M. BRADLEY,  
BURLE H. MATTHEWS,

On the part of the Senate.

We, the undersigned members of the Joint Committee on Rules of the House and Senate, beg leave to submit the following minority report, to wit:

That in addition to the foregoing we recommend as a rule of the House and Senate, "That all bills referred to any standing committee shall be reported on within ten days after the same has been referred, unless for good cause shown further time be granted.

Respectfully submitted,  
FRANK C. SICKLES,  
THOS. W. HAWKINS.

Which were read.

On motion of Senator Walker, the majority report was adopted.

On motion of Senator Bradley, the Senate took an informal recess.

Regular session resumed.

President pro tem. in the chair.

Lieutenant-Governor Lee, from the floor of the Senate, filed with the Secretary a list of the standing committees appointed by him:

January 13, 1901.

To the Senate:

In compliance with Rule 75, I hereby announce and appoint the following standing committees of the Senate:

1. Committee on Judiciary—Senators Haynes, Clay, Morton, Dowell, Matthews, Walker, Fields, Clarke, Rollins.

2. Committee on Appropriations—Senators Rubey, Fields, Clay, Marshall, Lee, Bradley, Jewell, Davison, Martin (of Saline county).

3. Committee on Criminal Jurisprudence—Senators Orchard, Dowell, Farris, Costello, Morton, Matthews, Smith.

4. Committee on Railroads and Internal Improvements—Senators Whaley, Costello, Marshall, Schoenlaub, Orchard, Zevely, Ramp.

5. Committee on Private Corporations—Senators Farris, Drabelle, Zevely, Dowell, Thomas, Jewell, Smith.

6. Committee on Municipal Corporations—Senators Drabelle, Fields, Rubey, Haynes, Schoenlaub, Clarke, Rollins.

7. Committee on Ways and Means—Senators Martin (of Saline), Clay, Rubey, Walker, Bradley, Collins, Smith.

8. Committee on Agriculture, Roads and Highways and Ferries—Senators Tandy, Lee, Cooper, Marshall, Haynes, Clarke, Ramp.

9. Committee on Labor, Mines and Manufactures—Senators Clay, Lee, Collins, Schoenlaub, Rubey, Thomas, Sullivan.

10. Committee on University, Normal Schools, Agricultural College and School of Mines—Senators Costello, Heather, Stubbs, Whaley, Collins, Ramp, Martin (of St. Louis).

11. Committee on Accounts and Miscellaneous Laws—Senators Dowell, Morton, Stubbs, Bradley, Biggs, Davisson, Martin (of St. Louis).
12. Committee on Life Insurance and Fraternal Associations—Senators Schoenlaub, Thomas, Rubey, Sullivan, Martin (of St. Louis).
13. Committee on Fire, Marine and Tornado Insurance—Senators Fields, Walker, Marshall, Stubbs, Clarke.
14. Committee on Privileges and Elections—Senators Bradley, Whaley, Cooper, Biggs, Davisson.
15. Committee on Militia—Senators Stubbs, Lee, Drabelle, Haynes, Jewell.
16. Committee on Penitentiary and Reform Schools—Senators Collins, Tandy, Costello, Schoenlaub, Sullivan.
17. Committee on Eleemosynary Institutions and Public Health—Senators Walker, Whaley, Tandy, Heather, Jewell.
18. Committee on County Courts and Justices of the Peace—Senators Heather, Biggs, Orchard, Rollins, Davisson.
19. Committee on Education, Text-Books and Public Schools—Senators Thomas, Whaley, Farris, Orchard, Ramp.
20. Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government—Senators Cooper, Whaley, Martin (of Saline), Morton, Rollins.
21. Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs—Senators Biggs, Orchard, Martin (of Saline), Clarke, Smith.
22. Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains—Senators Marshall, Biggs, Cooper, Stubbs, Ramp.
23. Committee on Printing and Joint Printing—Senators Zevely, Biggs, Thomas, Sullivan, Collins.
24. Committee on Joint Rules and Unfinished Business—Senators Walker, Heather, Farris, Bradley, Matthews.
25. Committee on Engrossed Bills—Senators Tandy, Drabelle, Haynes, Martin (of St. Louis), Sullivan.
26. Committee on Enrolled Bills—Senators Dowell, Cooper, Lee, Davisson, Martin (of St. Louis).
27. Committee on Louisiana Purchase Centennial—Senators Morton, Drabelle, Heather, Costello, Walker, Zevely, Fields, Farris, Clay, Smith and Matthews.
28. Committee on Representative Apportionment and Redistricting the State—Senators Lee, Heather, Fields, Costello, Stubbs, Jewell, Bradley, Martin (of St. Louis), Zevely, Farris, Matthews, Rollins, Collins, Sullivan, Tandy.

Which was read.

On motion of Senator Haynes, the Senate adjourned until 3 p. m., January 21, 1901.

## FOURTEENTH DAY—Monday, January 21, 1901.

The Senate met pursuant to adjournment.

President \_\_\_\_\_ in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Fields offered the following resolution:

Be it resolved by the Senate, That the President of the Senate appoint three members of the Senate to assign rooms to the various standing committees for their use and report their action to the Senate for its approval or disapproval.

Which was read and adopted.

The President called Senator Fields to the chair.

Senator Farris introduced Senate bill No. 78, entitled

An act authorizing the erection of a new Supreme Court building and appropriating money therefor;

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 79, entitled

An act to repeal sections 9425, 9427, 9428, 9429, 9430, 9431, 9432, 9433, 9434, 9435, 9436, 9437, 9438, 9439, 9440, 9441, 9442, 9443, 9444, and 9445, article 1, chapter 151, Revised Statutes of 1899, entitled "Roads and highways;"

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 80, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 81, entitled

An act creating a State Board of Health, and repealing article 1, chapter 111 of the Revised Statutes of 1899;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 82, entitled

An act to amend section 2866, Revised Statutes of 1899, entitled "Damages, by whom recovered—measure of;"

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 83, entitled

An act to amend section 2864 of the Revised Statutes of 1899, entitled an act "Damages for injuries resulting in death in certain cases, when and by whom recoverable;"

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4, chapter 91, relating to cities of the third class of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as section 5858, 5859 and 5860, with emergency clause;

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds, and for the levying of tax therefor, and declaring an emergency;

Read first time and 150 copies ordered printed.

Senator Lee introduced Senate bill No. 86, entitled

An act to amend section 1255, article 6, of the Revised Statutes of 1899, entitled "Telegraphy and telephone companies;"

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of Revised Statutes, 1899, entitled "Destruction of certain papers after five years;"

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 88, entitled

An act to amend section 3018, article 1, chapter 22, Revised Statutes of 1899, relating to dramshops;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 89, entitled

An act to amend section 3020, article 2, chapter 22, Revised Statutes of 1899, relating to Excise Commissioner;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 90, entitled

An act to amend section 3024, article 2, chapter 22, Revised Statutes of 1899, relating to Excise Commissioner;

Read first time and 150 copies ordered printed.

Senator Haynes offered the following resolution:

Resolved, That the Secretary of State be requested to furnish the Committee on Judiciary and Committee on Criminal Jurisprudence with a set of Missouri reports and court of appeal reports, copy of Revised Statutes, 1899, Session Acts, 1899, and set of digests.

Which was read and adopted.

Senate bill No. 1, entitled

An act to provide for taxing franchises,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 2, entitled

An act to amend section 5157 of article 1 of chapter 83, Revised Statutes of Missouri of 1899, in relation to funding county, township, school district and other bonds,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 3, entitled

An act to create an additional division in and for the Circuit Court of the Sixteenth Judicial Circuit at Kansas City, Jackson county; for the appointment and election of an additional judge of said Circuit Court; to increase the salaries of the judges of said court and of the criminal judge of said county; and to empower the judges of said Circuit Court to make rules of court for the numbering, distribution and transfer of cases therein among the divisions of said Circuit Court; and to make rules for other purposes,

Was taken up, read second time, and referred to the Committee on Judiciary.

A message from the Governor, by his Private Secretary, was received.

(See Appendix for Message.)

Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes of 1899, by adding a new section thereto, to be known as section 6555a,

Was taken up, read second time, and referred to the Committee on Courts and Justices of the Peace.

Senate bill No. 5, entitled

An act to amend chapter 91, article 23, section 6554 of the Revised Statutes of 1899, entitled "Jurors, how drawn,"

Was taken up, read second time, and referred to the Committee on Courts and Justices of the Peace.

Senate bill No. 6, entitled

An act to authorize the imposition of a franchise tax on corporations doing business in Missouri,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 7, entitled

#### REVENUE: TAXATION AND EQUALIZATION.

An act to amend article 1, chapter 149, Revised Statutes of 1899 of the State of Missouri, by adding two new sections thereto, to be numbered sections 9136a and 9136b,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899 of the revenue law, entitled "Collector's commissions,"

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants, making agreements between attorney and client a lien upon the cause of action,

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 10, entitled

An act to prevent unscrupulous non-residents from practicing medicine by proxy in this State by giving the State Board of Health power to revoke certificate of such persons by adding a new section to chapter 128, Revised Statutes of 1899, to be known as section 8514a,

Was taken up, read second time, and referred to the Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 11, entitled

An act establishing an Advisory Board of Paroles and Pardons, defining the duties thereof and providing for paroling, commuting the sentence and pardoning of convicts,

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 12, entitled

An act fixing the compensation of the Circuit Attorney in cities in this State which now have or may hereafter have 300,000 inhabitants or more, and providing that such Circuit Attorney shall have the same fees for conviction in felony cases, in addition to his salary, as are allowed Prosecuting Attorneys throughout the State in addition to their salaries, which fees, when so received, may be a contingent fund to be used by said Circuit Attorney in paying the incidental expenses of his office,

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 13, entitled

An act in reference to telephone lines erected, owned or constructed by two or more persons,

Was taken up, read second time, and referred to the Committee on Private Corporations.

Senate bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3 of the Revised Statutes of 1899, by inserting between the words "indictment and except," in the first line thereof, the words "or information," and by striking out the word "provisions," in the 15th line of said section, and inserting in lieu thereof the words "the last mentioned provision,"

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled "Jurisdiction in felonies and misdemeanors—information in Courts of record," by striking out the word "misdemeanor," in the

second line of said section and inserting in lieu thereof the word "crime,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof,

Was taken up, read second time and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of Revised Statutes of 1899, entitled "Costs in criminal cases,"

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 18, entitled

An act to amend section 1990 of article 3 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against public and private property,"

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 19, entitled

An act to amend section 7759, article 5 of chapter 118 of the Revised Statutes of 1899, entitled "Reform school for boys,"

Was taken up, read second time, and referred to the Committee on Penitentiary and Reform Schools.

Senate bill No. 20, entitled

An act to amend sections 1313 and 1314, Revised Statutes, 1899, so as to require directors or managers to make oath to their statement for articles of incorporation and providing for the original sworn statement to be filed with the Secretary of State,

Was taken up, read second time, and referred to the Committee on Private Corporations.

Senate bill No. 21, entitled

An act fixing the number of directors in public school boards in cities having three hundred thousand inhabitants and over, providing for the election and for districting same,

Was taken up, read second time, and referred to the Committee on Education, Text Books and Public Schools.

Senate bill No. 22, entitled

An act to provide for a board of arbitration and conciliation for the settlement of differences between employers and employes,

Was taken up, read second time, and referred to the Committee on Labor, Mines and Manufactories.

Senate bill No. 23, entitled

An act to protect quail and wild turkeys,

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 25, entitled

An act to amend section 1853, article 2 of chapter 15 of the Re-

vised Statutes of 1899, entitled "Offenses against the lives and persons of individuals,"

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 26, entitled

An act to amend section 9387 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises.

Sec. 9387. Bridges, telegraph, telephone and express franchises taxable—duties of county courts and boards of equalization,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Sec. 9388. Taxation prior to passage of article—separate return,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Sec. 9390. Duty of court and boards of equalization, when returns have not been made,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 29, entitled

An act to amend section 9391 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Sec. 9391. Penalty for failure to make statement of property,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 30, entitled

An act to regulate the travel or transportation of the white and colored passengers on railroads of this State,

Was taken up, read second time, and referred to the Committee on Railroads and Internal Improvements.

Senate bill No. 31, entitled

An act to establish a State Board of Pardons.

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 32, entitled

An act imposing an additional fee on corporations in certain cases, to provide revenue for educational purposes,

Was taken up, read second time, and referred to the Committee on Education, Text-Books and Public Schools.

Senate bill No. 33, entitled

An act to provide for the punishment of any one guilty of kidnapping or carrying away any child or other person.

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 34, entitled

An act to provide for the reimbursement of Salt Pond township, Saline county, out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said township,

Was taken up, read second time, and referred to the Committee on Appropriations.

Senate bill No. 35, entitled

An act appropriating forty thousand dollars to build an additional building at the Normal School at Kirksville, Mo.,

Was taken up, read second time, and referred to the Committee on Appropriations.

Senate bill No. 36, entitled

An act to amend article 6, chapter 16 of the Revised Statutes of the State of Missouri, 1899, entitled "Proceedings before trial—change of venue, when granted," by striking out sections 2595, 2596 and 2597, and inserting three new sections in lieu thereof, to be numbered sections 2595, 2596 and 2597, respectively

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 37, entitled

An act to create an addition civil division in and for the circuit court of the Sixteenth judicial circuit at Kansas City, Jackson county; for the appointment and election of an additional judge of said circuit court; to increase the salaries of the judges of said court; to empower the judges of said circuit court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said circuit court and to make rules for other purposes; to abolish the criminal court of said county and to vest the jurisdiction thereof in the Jackson county circuit court; to transfer the judge of the criminal court to the office of circuit judge; to abolish the offices of county marshal and clerk of the criminal court of said county; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of civil cases between the court at Independence and Kansas City,

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 38, entitled

An act to amend section 581, Revised Statutes of Missouri, 1899, entitled "Orders of publication to be published, when and how long,"

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 39, entitled

An act to amend section 8012 of the Revised Statutes of Missouri of 1899, entitled "Insurance," by adding a proviso thereto.

Was taken up, read second time, and referred to the Committee on Fire, Marine and Tornado Insurance.

Senate bill No. 40, entitled

An act to appropriate money for the representation of Missouri at the Pan-American Exposition at Buffalo, New York.

Was taken up, read second time, and referred to the Committee on Louisiana Purchase Centennial.

Senate bill No. 41, entitled

An act to amend section 9427, article 1, chapter 151, Revised Statutes of Missouri, 1899, by striking out all of said section after the word "provided," in the sixth line of same, and adding in lieu thereof the following: "Each member of the board shall receive as full compensation for all services rendered by him under the provisions of this act, the sum of ten dollars per year, except the clerk, who shall receive twenty dollars per year, to be paid upon warrants drawn from the district fund after the filing and approval of the report provided for in section 9432;" so that section, when amended, shall read as follows,

Was taken up, read second time, and referred to the Committee on Roads and Highways, Agriculture and Ferries.

Senate bill No. 42, entitled

An act to protect and preserve the birds of Missouri from destruction, to provide for the enforcing of the same, and to provide for the appointment of Game Warden,

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 43, entitled

An act fixing the times for holding court in the Fifteenth judicial circuit and in the criminal court of the Fifteenth circuit of the State of Missouri,

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 44, entitled

An act to amend section 1024, article 1, of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private," "Organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a.

Was taken up, read second time, and referred to the Committee on Private Corporations.

Senate bill No. 45, entitled

An act to require the publication of the laws in the newspapers,

Was taken up, read second time, and referred to the Committee on Judiciary.

Senate bill No. 46, entitled

An act to create the office of license collector, provide for the election of a license collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more, and to provide for the payment of the salaries and expenses of said office of license collector,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 47, entitled

An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroad, or in consideration of donations to the corporation building or constructing such railroad,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 48, entitled

An act providing for the time when a vote of the people of this State shall be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State, providing for the place of meeting of convention, eligibility of members thereof, and form of ballot,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate bill No. 49, entitled

An act to amend article four, chapter twelve of the Revised Statutes of 1899, entitled "Corporations," by repealing section 1198, and enacting a new section in lieu thereof, to be known as section 1198,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 50, entitled

An act to repeal section 8861, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Certain persons declared to be peddlers," and enact a new section in lieu thereof to be known as section 8861,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 51, entitled

An act to amend section 8867, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Rate of tax on peddler's license,"

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 52, entitled

An act to amend section 9144, article 2, chapter 149, Revised Statutes of Missouri, 1899, of the revenue law, entitled "Time of making assessment—what lists shall contain,"

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 53, entitled

An act to amend section 6515 of article 22 of chapter 91, Revised Statutes of Missouri of 1899, entitled "Towns and villages,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 54, entitled

An act to amend sections 4622 and 4624 of chapter 63 of Revised Statutes of the State of Missouri of 1899, entitled "Wills,"

Was taken up, read second time, and referred to Committee on Wills and Probate Laws.

Senate bill No. 55, entitled

An act relating to the propagation and preservation of game animals, birds and fish,

Was taken up, read second time and referred to Committee on Criminal Jurisprudence.

Senate bill No. 56, entitled

An act to establish the office of fire marshal of the State of Missouri,

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

Senate bill No. 57, entitled

An act to prohibit the manufacture, sale and distribution of cigarettes or cigarette wrappers, and providing penalties for the violation of the provisions thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 58, entitled

An act to amend section 5157 of article 1, of chapter 83 of the Revised Statutes of this State, entitled "Bonds, municipal, etc.," by striking out of the seventh and eighth lines of said section the following words, to wit: "Existing bonded indebtedness, including any judgments, bonds, or coupons," and inserting in lieu thereof the following words, to wit: "Bonded or judgment indebtedness, including bonds, coupons or any judgment, whether based on bonded or other valid indebtedness," and by inserting after the word "cancel," in the tenth line, and before the word "old," in the eleventh line of said section, the words "judgment, or," relating to the funding of counties, cities, etc., of their bonded or judgment indebtedness,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 59, entitled

An act to provide for the taxing of franchises, and requiring the State Board of Equalization to value, assess and apportion the same, and providing penalties for violating this act.

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 60, entitled

An act to repeal section 1723 of article 3, chapter 14, Revised Statutes, 1899, entitled "Courts of record."

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 61, entitled

An act to amend article 8, chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections, by adding a new section thereto, prohibiting interference by the police with registration of voters and elections, and providing penalties therefor,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 62, entitled

An act providing that in certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which such city is sued,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 63, entitled

An act to regulate the practice of veterinary medicine, veterinary

surgery, or any branch thereof, including veterinary dentistry, in the State of Missouri, and prescribing penalty for the violation of the same,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 64, entitled

An act amending article five (5) of chapter 91 of the Revised Statutes of 1899, said article five (5) providing for the government of cities of the fourth class,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 65, entitled

An act to repeal section 8425, article 2, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways and Ferries.

Senate bill No. 66, entitled

An act to repeal section 822 of article 2, chapter 8 of the Revised Statutes of Missouri, 1899, relating to change of venue, and to enact in lieu thereof a new section, to be known as section 822,

Was taken up, read second time and referred to Committee on Judiciary.

Senate bill No. 67, entitled

An act authorizing assessors of certain counties adjacent to cities having a population of three hundred thousand inhabitants or more to issue permits for the erection or alteration of buildings,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have, or which may hereafter have, over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses, and prescribing penalties for violating the provisions of this act,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 70, entitled

An act to amend article 6 of chapter 118 of the Revised Statutes of Missouri, for the year 1899, entitled "Industrial home for girls," by adding two new sections thereto, to be known as sections 7788a and 7788b,

Was taken up, read second time, and referred to Committee on Institutions and Public Health.

Senate bill No. 71, entitled

An act to regulate the salary and fees of the office of the recorder of deeds; and the number of, and the salary and compensation of deputy recorders of deeds, and clerks and copyists employed in said office, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more; and to provide for the payment of the salaries and compensation of the recorder of deeds, deputy

recorders of deeds and clerks and copyists in said office of recorder of deeds,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 72, entitled

An act to amend section 7229, article 8, chapter 102, of the Revised Statutes of Missouri of 1899, relative to elections,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—board of examiners,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

The President called the President pro tem. to the chair.

The President announced the following committee on arrangement of room for committees: Fields, Collins and Sullivan.

Joint and concurrent resolution No. 1 submitting to the qualified voters of Missouri an amendment to the Constitution thereof concerning taxation,

Was taken up, read second time, and referred to Committee on Constitution, Federal Relations and Permanent Seat of Government.

Joint and concurrent resolution No. 2 submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, authorizing the taxation of large inheritances in order to provide revenue for public educational purposes,

Was taken up, read second time and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Joint and concurrent resolution No. 3 submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof prohibiting the General Assembly from enacting any laws authorizing the formation of private corporations, or authorizing private corporations organized in any other state to do business in this State as a corporation, and repealing section one of article twelve of the Constitution of the State of Missouri, and enacting a new section in lieu thereof, to be known as section one, article twelve.

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Joint and concurrent resolution No. 4 submitting to the qualified voters of Missouri an amendment to the Constitution thereof concerning the judicial department,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Fields introduced Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597;

Read first time and 150 copies ordered printed.

On motion of Senator Morton the Senate went into executive session.

The executive session having been dissolved the President pro tem. resumed the chair.

Senator Thomas called up House amendment to Senate bill No. 24.

Senator Haynes offered the following amendment to the amendment:

Amend House amendment to Senate bill No. 24, by inserting between the words "act" and "they," in the sixth line of said amendment, the following words: Provided, that the judges of said court shall not receive any per diem for services rendered on days while the court is in session for the transaction of other business.

Which was read and adopted.

The question recurring on amendment as amended, the same was concurred in by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Farris,   | Martin (Saline), | Sullivan,  |
| Bradley,  | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Collins,  | Heather,  | Ramp,            | Walker,    |
| Davison,  | Jewell,   | Rollins,         | Whaley,    |
| Dowell,   | Lee,      | Schoenlaub,      | Zevely—27. |
| Drabelle, | Marshall, | Stubbs,          |            |

NAYS—None.

Absent with leave—Senators

|           |           |        |          |
|-----------|-----------|--------|----------|
| Clarke,   | Matthews, | Rubey, | Smith—6. |
| Costello, |           |        |          |

SICK—Senators

|         |                      |
|---------|----------------------|
| Cooper, | Martin (St.Louis)—2. |
|---------|----------------------|

Senate bill No. 24, as amended, was passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Farris,   | Martin (Saline), | Sullivan,  |
| Bradley,  | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Ramp,            | Thomas,    |
| Collins,  | Heather,  | Rollins,         | Walker,    |
| Davison,  | Jewell,   | Schoenlaub,      | Whaley,    |
| Dowell,   | Lee,      | Stubbs,          | Zevely—26. |
| Drabelle, | Marshall, |                  |            |

NAYS—None.

Absent with leave—Senators

|           |           |        |          |
|-----------|-----------|--------|----------|
| Clarke,   | Matthews, | Rubey, | Smith—3. |
| Costello, | Orchard,  |        |          |

SICK—Senators

|         |                      |
|---------|----------------------|
| Cooper, | Martin (St.Louis)—2. |
|---------|----------------------|

The Chair ruled that under the Constitution and Rules of the Senate it was not necessary to vote on emergency clause.

Senator Bradley moved that the emergency clause be voted on; Which was lost.

On motion of Senator Walker the Senate adjourned until 10 a. m., tomorrow.

## FIFTEENTH DAY—Tuesday, January 22, 1901.

The Senate met pursuant to adjournment.

President Lee in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Walker presented the following petition from citizens of Montgomery county, praying for the passage of an anti-cigarette law; Which was read.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House, the following House joint resolution:

Whereas, The foundation of good government rests in good morals and good morals rest in the sanctity of the home.

Whereas, The serious question of the hour engaging the attention alike of the bench, bar and pupil as well as all right lovers is the divorce system, which, in its present laxness, is universally deplored; and,

Whereas, No State can adequately hope to cope with this great social evil so long as conflicting divorce regulations exist in the different States; therefore, be it

Resolved by this House, the Senate concurring herein, That our Senators and Representatives in the National Congress are requested to diligently employ every legitimate means to the end that a uniform divorce law may be acquired throughout all the States of this Union; and, be it further

Resolved, That the Chief Clerk of this House is hereby instructed to forward a copy of this resolution to each of our Senators and Representatives in the National Congress.

In which the concurrence of the Senate is respectfully requested..

Senator Ramp introduced Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled "Elections," and relating to registration in cities having a population of 25 thousand inhabitants and less than 100 thousand inhabitants, by adding a new section thereto, to be known as section 7205a;

Read first time and 150 copies ordered printed.

Senator Ramp introduced Senate bill No. 93, entitled

An act to regulate the practice of medicine in the State of Missouri;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 94, entitled

An act to repeal an act entitled "To provide for special jury—how obtained, and paid, and special venire, how ordered;"

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 95, entitled

An act to prevent storagehouse or warehouse men from doing business as pawnbrokers, to be known as sections No. 10,572 and 10,573, and added to chapter 172 of the Revised Statutes of 1899;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 96, entitled

An act to prevent the violation of chapter 139, Revised Statutes of 1899, entitled "Pawnbrokers, and defining the business of a pawnbroker," to be known as section 8860;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 97, entitled

An act to amend chapter twelve, article nine of the Revised Statutes of 1899, entitled "Corporations—private," by adding a new section thereto, to be known as section 1314a, making it the duty of the Secretary of State to investigate statements made for articles of corporation, and upon discovery of fraud to revoke certificate of corporation and submit results to the grand jury;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 98, entitled

An act to require foreign corporations, not subject to prosecution in this State for making false affidavits for securing certificate of incorporation, to pay an annual tax;

Read first time and 150 copies ordered printed.

Senator Matthews introduced Senate bill No. 99, entitled

An act to amend section 7420 of article 2, chapter 105 of the Revised Statutes of Missouri, 1899, entitled "State Fair fund;"

Read first time and 150 copies ordered printed.

Senator Whaley from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred Senate joint and concurrent resolution No. 4, entitled "Joint and concurrent resolutions," concerning the judicial department,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

On motion of Senator Walker, the rules were suspended, and joint and concurrent resolution No. 4 was taken up.

Senator Haynes offered the following amendment:

Senate amendment No. 1 to Senate joint and concurrent resolution No. 4:

Amend Senate joint and concurrent resolution No. 4 by striking out the words "such place as may be provided by law," in section 1, lines 3 and 4, original bill, and substituting in lieu thereof the words "the seat of government;"

Which was read and adopted.

Senator Walker moved that resolution, as amended, be engrossed and printed.

Senator Davisson moved that resolution be laid over informally. Motion was lost.

Question recurring on motion to engross and print was carried.

Senate bill No. 69, entitled

An act to amend section 7761, article 5, chapter 118 of the Revised Statutes of Missouri, for the year 1899, entitled "Commitment of incorrigible boys—proceedings,"

Was taken up, read second time, and referred to Committee on Penitentiary and Reform Schools.

Senate bill No. 75, entitled

An act for the review and correction of illegal and unequal tax assessments by proceedings in certiorari and regulating the procedure thereof,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 77, entitled

An act to repeal sections 727 and 728 of chapter 8, article 7 of Revised Statutes of Missouri for 1899, and relating to bills of exceptions in civil suits, and to enact in lieu thereof three new sections, to be known as sections 727, 728 and 728a, and to repeal section 813 of chapter 8 of article 10 of Revised Statutes of Missouri relating to duties of parties in appeals and to enact a new section in lieu thereof, to be known as section 813,

Was taken up, read second time, and referred to Committee on Judiciary.

Senator Collins introduced Senate bill No. 100, entitled

An act creating the office of State chemist, providing for the salary of same, and prescribing the duties of said office;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 101, entitled

An act to amend chapter 15, article 8 of the Revised Statutes of 1899, by adding a new section thereto, to be known as section 2269a;

Read first time and 150 copies ordered printed.

On motion of Senator Orchard, Senate adjourned until 10 a. m. tomorrow.

## SIXTEENTH DAY—Wednesday, January 23, 1901.

Senate met pursuant to adjournment.

A quorum present.

President in the chair.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Tandy offered the following resolution:

Resolved, That the Door-keeper of the Senate is hereby instructed to furnish the Chief of Engrossing Department with a desk in which the engrossed bills may be safely kept.

Which was read and adopted.

Senator Clark offered the following resolution:

Whereas, The Senate of the State of Missouri learns of the death of Queen Victoria, England's much-loved ruler, with profound sorrow and as an expression of their admiration for her virtues as a ruler and a woman; therefore,

Resolved, That the Senate of the State of Missouri extend to the people of the British Empire its heartfelt sympathy for the death of a wise ruler and a friend of our country and the queenliest woman and most womanly queen that every graced a throne.

That the President of the Senate be instructed to cause a copy of this resolution to be transmitted to the Secretary of State with a request that a copy be forwarded to the English Ambassador at Washington.

Which was read and adopted.

Senator Morton offered the following resolution:

Resolved, That Senators Marshall, Orchard, Collins, Haynes, Thomas, Ramp, Jewell and Davisson be added to the Committee on Louisiana Purchase Centennial.

Which was read.

Senator Martin (of Saline) offered the following substitute:

Resolved, That the Lieutenant-Governor be allowed to add the names of eight additional Senators to the Louisiana Purchase Centennial.

Which was read, and moved its adoption.

Motion was lost.

Question recurring on resolution offered by Senator Martin.

Roll call demanded.

Resolution adopted by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Collins,  | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Rubey,           | Zevely—31. |
| Dowell,   | Marshall, | Schoenlaub,      |            |

NAYS—None.

Absent with leave—Senator Smith—1.

Sick—Senators )

Cooper, Martin (St. Louis)—2.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House of Representatives has taken up and concurred in Senate amendment to House amendment of Senate bill No. 24, "To amend House amendment to Senate bill No. 24 by inserting between the words "act" and "they," in the sixth line of said amendment the following words: "Provided, that the judges of said court shall not receive any per diem for services rendered on days while the court is in session for the transaction of other business.

Which was read.

Senator Ramp introduced Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27, Revised Statutes of Missouri, 1899, entitled "Fees.;"

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 103, entitled

An act fixing the salaries to be paid justices of the peace and constables in townships which now have or may hereafter have a population of 150,000, and provide for the election of a constable and clerk and the appointment of deputies and fix their compensation;

Read first time and 150 copies ordered printed.

Senator Whaley (by request) introduced Senate bill No. 104, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words;

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 105, entitled

An act to tax corporate franchises, and for the payment of the same into the State treasury;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 106, entitled

An act to authorize the various circuit courts of the State of Missouri to appoint a committee to investigate accounts of public officers handling funds;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 107, entitled  
An act entitled an act—Attorney General, circuit court and prosecuting attorney;

Read first time and 150 copies ordered printed.

Senator Dowell (by request) introduced Senate bill No. 108, entitled

An act to amend chapter 20 of the Revised Statutes of the State of Missouri, 1899, relating to divorce, alimony and custody of children, by repealing section No. 2924, and enacting in lieu thereof a new section, to be numbered 2924, and by adding thereto three new sections, to be numbered 2932a, 2932b, 2932c;

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 109, entitled

An act to create the office of pardon clerk; to provide for his appointment; tenure of office; removal therefrom, and for filling vacancy; defining his duties, and fixing his compensation;

Read first time and 150 copies ordered printed.

Senator Martin (of Saline), from the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 26, entitled

An act to amend section 9387 of article 9 of chapter 149 of Revised Statutes of 1899, entitled "Taxation of bridge and telegraph and express franchises,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 29, entitled

An act to amend section 9391 of article 9, chapter 149 of the Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Fields, from the Special Committee on Assignment of Committee Rooms, submitted the following report:

Mr. President: Your special committee appointed to assign rooms to the various standing committees for use during this session, beg leave to report as follows, to wit: Agriculture, Roads and Highways, Retrenchment and Reform, Fees and Salaries and Criminal Costs, and Representative Apportionment and Redistricting the State—room 41.

Ways and Means—room 42.

Fire, Marine and Tornado Insurance, Militia, Penitentiary and Reform Schools, Eleemosynary Institutions and Public Health, Constitutional Amendments, Federal Relations and Permanent Seat of Government, and Printing and Joint Printing—rooms 43 and 44.

Criminal Jurisprudence, University, Normal Schools, Agricultural College and School of Mines, and County Courts and Justices of the Peace—room 45.

Appropriations, Privileges and Elections, Township Organization, County Boundaries, Swamp Lands, Ditches and Drains—room 46.

Municipal Corporations, Private Corporations, and Life, Accident and Fraternal Associations—room 47.

Engrossing Committee—room 48.

Judiciary, Labor, Mines and Mining, Accounts and Miscellaneous Laws, Rules, Joint Rules and Unfinished Business, and Louisiana Purchase Centennial—rooms 49 and 50.

Railroads and Internal Improvements—room 51, Railroad Commissioner's office. Education, Text-Books and Public Schools—office of State Superintendent of Schools.

Enrolled Bills—room 5.

All of which is respectfully submitted.

E. B. FIELDS, Chairman,  
JNO. P. COLLINS,  
W. P. SULLIVAN.

Which was read.

Senator Davisson offered the following resolution:

Resolved, That each Senator of the minority be allowed one clerk as of date January 23, 1901, at a compensation of \$3.50 per day.

Which was read.

Senator Rubey moved that resolution be referred to Committee on Clerical Force.

Roll call demanded.

Motion lost by the following vote:

#### YEAS—Senators

|          |           |                  |            |
|----------|-----------|------------------|------------|
| Biggs,   | Costello, | Heather,         | Tandy,     |
| Bradley, | Dowell,   | Martin (Saline), | Walker,    |
| Clay,    | Drabelle, | Rueoy,           | Whaley—12. |

#### NAYS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Clarke,   | Haynes,   | Morton,     | Stubbs.    |
| Collins,  | Jewell,   | Orchard,    | Sullivan,  |
| Davisson, | Lee,      | Ramp,       | Thomas,    |
| Farris,   | Marshall. | Rollins,    | Zevely—19. |
| Fields,   | Matthews, | Schoenlaub, |            |

Absent with leave—Senator Smith—1.

#### SICK—Senators

Cooper, Martin (St. Louis)—2.

Question recurring on resolution, the same was adopted by the following vote:

#### YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Morton,     | Stubbs,    |
| Clarke,   | Haynes,   | Orchard,    | Sullivan,  |
| Collins,  | Jewell,   | Ramp,       | Thomas,    |
| Davisson, | Marshall. | Rollins,    | Whaley.    |
| Farris,   | Matthews, | Schoenlaub, | Zevely—20. |

#### NAYS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Bradley,  | Dowell,   | Lee,             | Tandy,     |
| Clay,     | Drabelle, | Martin (Saline), | Walker—11. |
| Costello, | Heather,  | Rubey,           |            |

Absent with leave—Senator Smith—1.

Sick—Senators Cooper, Martin (St. Louis)—2.

On motion of Senator Zevely, Senate bill No. 54 was taken up and referred to Committee on Judiciary.

On motion of Senator Rollins, Senate adjourned under the rules.

## SEVENTEENTH DAY—Thursday, January 24, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Rev. Mr. Pinkerton.

Journal of yesterday read and approved.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House, concurrent resolution relating to uniform divorce laws, in which the concurrence of the Senate is respectfully asked;

Which was read.

The following message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

To the Senate:

I respectfully urge the speedy enactment of a law which will permit the infliction of the death penalty in cases of kidnaping for ransom.

The recent atrocious crime in our sister State of Nebraska strongly appeals for the passage of such a law. I am sure it will be cordially approved by every father and mother in this State.

Under our statutes train robbery is properly punishable by death or imprisonment in the State penitentiary. It seems that the crime of child robbery for the purpose of ransom should be prohibited under penalties as severe as the crime of train robbery.

ALEX. M. DOCKERY.

Which was read.

President called Senator Rubey to the chair.

Senator Haynes introduced Senate bill No. 110, entitled

An act to amend section 2286, article 8 of chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Crimes and punishments," and relating to certain substances not to be used in compounds to be used in the preparation of food, by striking out the words "or alum," in the sixth (6th) line and at the end of said section, and also by inserting between the words "bismuth" and "ammonia," in the sixth (6th) line of said section, the word "or;"

Read first time and 150 copies ordered printed.

Senator Haynes introduced Senate bill No. 111, entitled

An act to appropriate money for the erection of a building for the use of the Young Men's Christian Association of the University of the State of Missouri at Columbia, Missouri;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 112, entitled

An act to create a State Board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said board;

Read first time and 150 copies ordered printed.

Senator Biggs introduced Senate bill No. 113, entitled

An act to provide for the reimbursement of Audrain county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county;

Read first time and 150 copies ordered printed.

Senator Martin (Saline) introduced Senate bill No. 114, entitled  
 An act to define and to tax franchises of corporations doing business in this State except such as are for religious, educational or charitable purposes, requiring the State Board of Equalization to value the same, and providing penalties;

Read first time and 150 copies ordered printed.

Senator Ramp introduced Senate bill No. 115 entitled

An act to amend article 7, chapter 154 of Revised Statutes of Missouri of 1899, entitled "Schools," by adding new sections thereto, to be known as sections 9982a, 9982b, 9982c, 9982d;

Read first time and 150 copies ordered printed.

Senator Schoenlaub introduced Senate bill No. 116, entitled

An act to amend section 2267 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Offenses against public morals or decency, or the public police and miscellaneous offenses;"

Read first time and 150 copies ordered printed.

Senator Schoenlaub introduced Senate bill No. 117, entitled

An act prohibiting the purchase and sale of stolen property;

Read first time and 150 copies ordered printed.

Senator Schoenlaub introduced Senate bill No. 118, entitled

An act to repeal article 1 of chapter 47 of the Revised Statutes of the State of Missouri, 1899, entitled "Mechanics' liens;"

Read first time and 150 copies ordered printed.

Senator Schoenlaub introduced Senate bill No. 119, entitled

An act to provide for the appointment of a Factory Inspector, and defining his term of service, salary, powers and duties.

Read first time and 150 copies ordered printed.

Senator Rollins (by request) introduced Senate bill No. 120, entitled

An act to prevent and punish the desecration of the flag of the United States;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 121, entitled

An act to repeal section 2064 of article 5 of chapter 15, entitled "Crimes and punishments," and enacting a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 4, entitled

Concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof concerning the judicial department,

Beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the two following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 53, entitled

An act to amend section 6515 of article 22 of chapter 91, Revised Statutes of Missouri of 1899, entitled "Towns and villages,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 71, entitled

An act to regulate the salary and fees of the office of the recorder of deeds and the number of and the salary of and the compensation of deputy recorder of deeds and clerks and copyists employed in said office in cities now having or which hereafter may have three hundred thousand inhabitants or more, and to provide for the payment of the salaries and compensation of the recorder of deeds, deputy recorder of deeds and clerks, and copyists in said office of recorder of deeds,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendment:

Amendment No. 1 to Senate bill No. 71:

Amend Senate bill No. 71 by striking out the words "two hundred and fifty dollars," in line eleven of said section two, original bill, and inserting in lieu thereof the words "three hundred and thrity-three and one-third dollars;"

Which were read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the followin reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 14, entitled

An act to amend section 2576, chapter 16, article 3, of the Revised Statutes of 1899,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 15, entitled,

An act to amend section 2478, chapter 16, article 3 of the Revised Statutes of 1899,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 16, entitled

An act repealing section 2482, chapter 16, article 3, Revised Statutes of 1899, and enacting a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of the Revised Statutes of 1899, entitled "Costs in criminal cases,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 18, entitled

An act to amend section 1990 of article 3, chapter 15 of the Revised Statutes of 1899, entitled "Offenses against public and private persons."

Begs leave to report that it has examined the same and recommends that it do pass.

Which were read.

Senator Martin, from the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899 of the revenue law, entitled "Collectors' commissions,"

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

Senate bill No. 74, entitled

An act to amend section 6466 of article 19, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Public libraries and buildings,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 76, entitled

An act to amend section 4149, chapter 44 of the Revised Statutes of Missouri, 1899, in relation to change of venue in landlord and tenant cases,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

Senate bill No. 78, entitled

An act authorizing the erection of a new supreme court building, creating a commission to have charge of such erection, and making an appropriation to carry the act into effect,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 79, entitled

An act to repeal sections 9425, 9427, 9428, 9429, 9430, 9431, 9432, 9433, 9434, 9435, 9436, 9437, 9438, 9439, 9440, 9441, 9442, 9443, 9444, 9445 of article one, chapter 151, Revised Statutes, 1899, entitled "Roads and highways," and to enact nineteen new sections in lieu thereof, to be known as sections 9425, 9427, 9428, 9429, 9430, 9431, 9432, 9433, 9434, 9435, 9436, 9437, 9439, 9440, 9441, 9442, 9443, 9444, 9445,

Was taken up, read second time, and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senate bill No. 80, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 81, entitled

An act creating a State board of health and repealing article 1, chapter 111, of the Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 82, entitled

An act to amend section 2866, Revised Statutes of 1899, entitled "Damages, by whom recovered—measure of,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court and to provide for an election to be held for the purpose of voting therefor and notice thereof and for the form of ballots, and to provide for the payment of such bonds and for the levying of tax therefor, and declaring an emergency,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 86, entitled

An act to amend section 1255, article 6 of the Revised Statutes of 1899, entitled "Telegraph and telephone companies,"

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Revised Statutes of the State of Missouri, 1899, entitled "Destruction of certain papers after five years,"

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

Senate bill No. 88, entitled

An act to amend article 1, chapter 22, section 3018 of the Revised Statutes of 1899, relating to dramshops,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 26 was taken up, ordered engrossed and printed.

Senate bill No. 27 was taken up, ordered engrossed and printed.

Senate bill No. 28 was taken up, ordered engrossed and printed.

Senate bill No. 29 was taken up, ordered engrossed and printed.

Senator Whaley offered the following resolution:

Resolved, That the Doorkeeper be instructed to have a telephone put in in some convenient place for the use of the Senate.

Which was read and adopted.

Senator Morton moved that 500 copies of Senate bill No. 24, as amended, be printed for the use of the Senate.

Motion prevailed.

Senator Drabelle introduced Senate bill No. 122, entitled

An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages;

Read first time and 150 copies ordered printed.

On motion of Senator Farris, Senate went into executive session.  
 Regular session resumed.  
 Senator Haynes in the chair.  
 Senator Farris offered the following resolution:

Resolved, by the Senate, That Theodore White and Wm. B. Edwards be added to the Door-keeper's force, one as a sweeper, and one as a committee room attendant, and that they be paid the sum of \$2 per day;

Which was read.

Senator Rubey demanded roll call.

Resolution was lost by the following vote:

YEAS—Senators

Collins,  
 Cooper,  
 Davisson,  
 Farris,

Haynes,  
 Jewell,  
 Marshall,  
 Matthews,

Morton,  
 Orchard,  
 Ramp,

Rollins,  
 Schoenlaub,  
 Thomas—14.

NAYS—Senators

Biggs,  
 Bradley,  
 Clay,  
 Costello,  
 Dowell,

Drabelle,  
 Fields,  
 Heather,  
 Lee,

Martin (Saline),  
 Rubey,  
 Stubbs,  
 Sullivan,

Tandy,  
 Walker,  
 Whaley,  
 Zevely—17.

Absent—Senator Clarke—1.

Absent with leave—Senator Smith—1.

Sick—Senator Martin (St. Louis)—1.

Senator Farris introduced Senate bill No. 123, entitled

An act to repeal sections 1427 and 1438 of chapter 12, entitled  
 "Trust companies," and to enact two new sections in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Farris (by request) introduced Senate bill No. 124, entitled

An act to authorize the repayment of certain funds heretofore paid  
 into the State treasury to create a State university scholarship fund;  
 Read first time and 150 copies ordered printed.

On motion of Senator Farris, Senate adjourned until 10 a. m.  
 tomorrow.

## EIGHTEENTH DAY—Friday, January 25, 1901.

Senate met pursuant to adjournment.

President Lee in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Thomas introduced Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public  
 buildings in this State;

Read first time and 150 copies ordered printed.

Senator Thomas was granted leave of absence.

President called Senator Clay to the chair.

Senator Farris introduced Senate bill No. 126, entitled

An act to regulate business and trade in cities having a population  
 of fifty thousand or over, declaring it unlawful and making it a misde-  
 meanor to transact business in violation of the provisions thereof, and  
 providing a penalty for such violation; providing for the appointment

of license commissioners in such cities, prescribing their powers, defining their duties and fixing their compensation;

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 127, entitled

An act to provide for primaries and conventions and for nominations to public offices in cities now containing or which may hereafter contain 150,000 and less than 300,000 inhabitants, and in counties which now contain or may hereafter contain such cities, and defining certain offenses and providing penalties therefor; to repeal sections 7131 to 7145, both inclusive, and 7163 to 7170, both inclusive, and to amend sections 7275, 7278, 7281, 7287, 7289, 7290, 7294, 7295 and 7303 of the Revised Statutes of Missouri of 1899, and to repeal all other acts and parts of acts inconsistent with this act;

Read first time, rules suspended, and 1,000 copies ordered printed.

Senator Drabelle introduced Senate bill No. 128, entitled

An act providing for the paroling of convicts, the revocation of paroles and the arrest and reincarceration of convicts paroled;

Read first time and 150 copies ordered printed.

Senator Rubey introduced Senate bill No. 129, entitled

An act authorizing the Supreme Court of the State of Missouri to transfer from the law library of the State at Jefferson City to the law library of the State University at Columbia such treatises, text-books and digests of law as may not be required for further use in the law library of the State;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 130, entitled

An act to repeal section 2997 of article 1, chapter 22 of the Revised Statutes of Missouri of 1899, entitled "Dramshops," and by enacting a new section in lieu thereof, to be known as section 2997:

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 131, entitled

An act for the relief of B. F. Elder and Albert Stone for the apprehension of one Ben Richardson charged with murder;

Read first time and 150 copies ordered printed.

Senator Haynes, from the Committee on Judiciary, submitted the six following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants, making agreements between attorney and client a lien upon the cause of action,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 38, entitled

An act to amend section 581, Revised Statutes, 1899, entitled "Order or publications,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 43, entitled

An act fixing the time for holding court in the 15th judicial circuit and in the criminal court of the 15th circuit of the State of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 60, entitled

An act to repeal section 1723 of article 3, chapter 14, Revised Statutes, 1899, entitled "Courts of record,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 62, entitled

An act to provide that in cities of 150,000 or over that certain parties may be made defendants with the city,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes 1899, entitled "Pleadings and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597,

Begs leave to report that it has examined the same and recommends that it do pass.

Which were read.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 109, entitled

An act to repeal section 1723 of article III, chapter 14, Revised Statutes, 1899, entitled "Courts of record," and to enact a new section in lieu thereof, to be known as section 1723, with an emergency clause,

Also, House bill No. 80, entitled

An act to amend sections 3994 and 4001 of article 7, chapter 43, Revised Statutes of Missouri, 1899, entitled "Justices' courts," and relating to juries and the number necessary to concur in order to render a verdict in justice courts,

,Also, House bill No. 63, entitled

An act to amend section 4987 of the Revised Statutes of 1899, relating to county counselors, with an emergency clause,

In which the concurrence of the Senate is respectfully requested.

Also, House bill No. 79, entitled

An act to amend article 1, chapter 42, Revised Statutes of Missouri, 1899, entitled "Juries, grand and petit," by adding a new section thereto, relating to the number of jurors necessary to concur in order to render a verdict in courts of record;

Also, House bill No. 24, entitled

An act to amend section 2759 of article 12, relating to proceedings in misdemeanors before justices of chapter 16, entitled "Practice and proceedings in criminal cases of Revised Statutes of 1899 of Missouri;

Also, House bill No. 119, entitled

An act to amend section 1727 of article 3 of chapter 14 of the Revised Statutes of 1899 of Missouri, entitled "Courts of record;"

Also, House bill No. 35, entitled

An act to amend section 4132, chapter 44 of the Revised Statutes of 1899, relating to landlords and tenants,

In which the concurrence of the Senate is respectfully requested.

Which were read.

President Pro tem. Farris called to the chair.

Senator Cooper, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 24, entitled

An act to amend article 1 of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Begs leave to report that it has compared the same and finds it to be truly enrolled.

Which was read.

Senate enrolled bill No. 24, entitled

An act to amend article 1 of chapter III of the Revised Statutes of the State of Missouri of 1899, entitled "Health, board of," by adding a new section thereto, to be known as section 7529a,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate bill No. 83, entitled

An act to amend section 2864 of the Revised Statutes of 1899, entitled "Damages for injuries resulting in certain cases, when and by whom recoverable,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 89, entitled

An act to amend article 2, chapter 22, section 3020 of the Revised Statutes of 1899, relating to Excise Commissioner,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled "Elections," and relating to registration in cities having a population of twenty-five thousand in-

habitants and less than one hundred thousand inhabitants, by adding a new section thereto, to be known as section 7205a,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 93, entitled

An act to regulate the practice of medicine in the State of Missouri,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 94, entitled

An act to repeal an act entitled "An act to provide for special venire, how obtained and paid, and special jury, how ordered,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 95, entitled

An act to prevent storagehouse or warehousemen from doing business as pawnbrokers, to be known as sections Nos. 10527 and 10573, and added to chapter 172 of the Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 96, entitled

An act to prevent the violation of chapter 139, Revised Statutes of 1899, entitled "Pawnbrokers," and defining the business of a pawnbroker, to be known as section 8860,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 97, entitled

An act to amend chapter 12, article 9 of the Revised Statutes of 1899, entitled "Corporations, private," by adding a new section thereto, to be known as section 1314a, making it the duty of the Secretary of State to investigate statements made for articles of incorporation, and upon discovery of fraud to revoke certificate of incorporation and submit results to the grand jury,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 98, entitled

An act to require foreign corporations, not subject to prosecution in this State for making false affidavits for securing certificates of incorporation, to pay an annual tax,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 99, entitled

An act to amend section 7420 of article 2, chapter 105 of the Revised Statutes of Missouri, 1899, entitled "State Fair Fund,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 100, entitled

An act creating the office of State Chemist, providing for the salary of same and prescribing the duties of said office,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 101, entitled

An act amending chapter 15, article 8, Revised Statutes of 1899, by adding a new section thereto, to be known as section 2269a,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate joint and concurrent resolution No. 4 was taken up for engrossment and laid over informally.

Senate bill No. 8 was taken up, ordered engrossed and printed.

Senate bill No. 14, was taken up, ordered engrossed and printed.

Senate bill No. 15 was taken up, ordered engrossed and printed.

Senate bill No. 16 was taken up, ordered engrossed and printed.

Senate bill No. 17 was taken up, ordered engrossed and printed.

Senate bill No. 18 was taken up, ordered engrossed and printed.

Senate bill No. 53 was taken up, ordered engrossed and printed.

Senate bill No. 71 was taken up, ordered engrossed and printed.

On motion of Senator Rollins, rules were suspended and Senate bill No. 9 was taken up, ordered engrossed and printed.

Senator Clay introduced Senate bill No. 132, entitled

An act entitled an act to amend section 7502, chapter 110, Revised Statutes, 1899, relating to geology and mineralogy, and to enact a new section relating to the same subject, to be known as section 7502a, with an emergency clause;

Read first time and 150 copies ordered printed.

President of the Senate introduced General Stephen B. Lee, of the State of Mississippi, representing the Secretary of War, who addressed the Senate.

On motion of Senator Walker, Senate went into executive session. Regular session resumed.

Senator Haynes moved that when Senate adjourned it adjourn until 3 p. m. Monday, January 28.

Motion prevailed.

On motion of Senator Haynes, Senate adjourned until 3 p. m. Monday, January 28, 1901.

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## NINETEENTH DAY—Monday, January 28, 1901.

Senate met pursuant to adjournment.

President Lee in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

The following message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

(See Appendix.)

Senator Sullivan offered the following resolution:

Resolved, That the Secretary of the Senate be and he is hereby authorized to order for the use of the Senate forty pairs of bill file covers.

Which was read and adopted.

Senator Drabelle introduced Senate bill No. 133, entitled

An act to provide for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 134, entitled

An act to amend section 8287, Revised Statutes of Missouri, 1899, relating to "Lands," by adding thereto a provision authorizing appeal in certain cases;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 135, entitled

An act to repeal section 6709 of article 2, chapter 97 of the Revised Statutes of Missouri, 1899, entitled "County buildings and removal of county seats," and to enact two new sections in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 136, entitled

An act to amend section 2921 of chapter 20, Revised Statutes of Missouri, 1899, relating to divorce, alimony and custody of children.

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 137, entitled

An act to amend section 2927, of chapter 20, Revised Statutes of Missouri, 1899, relating to divorce, alimony and custody of children;

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 138, entitled

An act to amend chapter 20, Revised Statutes of Missouri, 1899, entitled "Divorce, alimony and custody of children," by adding six new sections thereto, to be known as sections 2932a, 2932b, 2932c, 2932d, 2932e and 2932f;

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 139, entitled

An act to amend section 2947 of chapter 21, Revised Statutes of the State of Missouri, entitled "Dower," by adding to said section words declaring: "Divorce granted to husband for incurable insanity of wife a bar to dower;"

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 140, entitled

An act to amend section 3620 of the Revised Statutes of 1899, entitled "Homesteads;"

Read first time and 150 copies ordered printed.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 125, entitled

An act to amend section 13, of the act creating the Criminal Court of Jackson County relating to changes of venue in said court with an emergency clause;

Also, House bill No. 139, entitled

An act to amend section 1526, of chapter 12 article 18, of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private;"

Also, committee substitute for House bill No. 78, entitled

An act to amend chapter 51, Revised Statutes of Missouri, 1899, entitled "Married women," and relating to non-liability of the husband for wife's torts;

Also, House bill No. 61, entitled

An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled "Dower;"

Also, House bill No. 60, entitled

An act to amend article 17 of chapter 130, Revised Statutes of Missouri, 1899, entitled "Militia," by adding a new section thereto, to be known as section 8728a, and relating to the establishment of a part of the National Guard of Missouri at the Military Academy, Mexico, Missouri, with an emergency clause;

Also, committee substitute for House bill No. 8, entitled

An act to amend section 9767, chapter 154, entitled "Schools," of the Revised Statutes of the State of Missouri, 1899, by adding at the close of such section: "Unless a suitable building is procured within twenty days, in which to continue the school to the end of the term,"

In which the concurrence of the Senate is respectfully requested.

Senator Dowell introduced Senate bill No. 141, entitled

An act to amend section 1823, article 2, chapter 15, Revised Statutes of 1899, entitled "Offenses against the lives and person of individuals;"

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property;"

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2, chapter 133, of the Revised Statutes of Missouri, 1899, and enact two new sections in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Haynes introduced Senate bill No. 144, entitled

An act to authorize the trustees in mortgages or deeds of trust given by railway companies, to enter satisfaction of same;

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 145, entitled

An act to establish the "Missouri General Hospital," and to provide for its regulation, equipment and conduct or management, and appropriating money to purchase a site and to be said Missouri General Hospital;

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 146, entitled

An act to provide for the inspection of gas meters and illuminating gas in all cities of the State now having, or which may hereafter have, a population of 50,000 inhabitants or over, authorizing the appointment of inspectors in and for such cities, defining their powers and duties, and prescribing penalties for its violation;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 147, entitled

An act requiring surety companies incorporated under the laws of other states, before doing business in this State to make deposit

with the Insurance Department to indemnify persons doing business with such company against loss;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 148, entitled

An act to prevent the issuance of life insurance upon persons under the age of fifteen (15) years, and to provide a penalty therefor;

Read first time and 150 copies ordered printed.

Senator Sullivan introduced Senate bill No. 149, entitled

An act to repeal sections 2245 and 2246, Revised Statutes of 1899;

Read first time and 150 copies ordered printed.

Senator Sullivan introduced Senate bill No. 150, entitled

An act to repeal article 7, of chapter 91 of Revised Statutes of 1899;

Read first time and 150 copies ordered printed.

President called Senator Lee to the chair.

Senator Smith introduced Senate bill No. 151, entitled

An act respecting the identification of criminals;

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 152, entitled

An act to amend section 4314, relating "Marriage may be solemnized by women," of chapter 50 of the Revised Statutes of Missouri of 1899, entitled "Marriage and marriage contracts;"

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the twelve following reports:

Mr. President: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants; making agreements between attorney and client a lien upon the cause of action;

Also, Senate bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3, of the Revised Statutes of 1899, by inserting between the words "indictment" and "except," in the first line thereof, the words "or information," and by striking out the word "provisions," in the 15th line of said section, and inserting in lieu thereof the words "the last mentioned provision;"

Also, Senate bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled "Jurisdiction in felonies and misdemeanors—information in courts of record," by striking out the word "misdemeanor," in the second line of said section and inserting in lieu thereof the word "crime;"

Also, Senate bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 26, entitled

An act to amend section 9387, of article 9, of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges, and telegraph, and express franchises;

Also, Senate bill No. 27, entitled

An act to amend section 9388, of article 9, of chapter 149, of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises;

Also, Senate bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises;

Also, Senate bill No. 29, entitled

An act to amend section 9391 of article 9 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises;

Also, Senate bill No. 17, entitled

An act to repeal section 2862 of article 15, of chapter 16 of Revised Statutes of 1899, entitled "Costs in criminal cases;"

Also, Senate bill No. 18, entitled

An act to amend section 1990, of article 3, of chapter 15, of the Revised Statutes of 1899, entitled "Offenses against public and private property;"

Also, Senate bill No. 53, entitled

An act to amend section 6515 of article 22 of chapter 91, Revised Statutes of Missouri of 1899, entitled "Towns and villages;"

Also, Senate bill No. 71, entitled

An act to regulate the salary and fees of the office of the Recorder of Deeds; and the number of, and the salary and compensation of Deputy Recorder of Deeds, and Clerks and Copyists employed in said office, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more; and to provide for the payment of the salaries and compensation of the Recorder of Deeds, Deputy Recorder of Deeds and Clerks and Copyists in said office of Recorder of Deeds,

Beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 2, entitled

An act to amend section 5157 of article 1 of chapter 83, Revised Statutes of Missouri, 1899, in relation to funding county, township, school district and other bonds,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27, of the Revised Statutes of Missouri of 1899, entitled "Fees,"

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees and Salaries, and Criminal Costs.

Senate bill No. 103, entitled

An act fixing the salaries to be paid to Justices of the Peace and Constables in townships which now have or may hereafter have a population of one hundred and fifty thousand inhabitants and less than three hundred thousand inhabitants, and directing the disbursement of fees and providing for the election and appointment of Constables, Deputy Constables, Clerks and Deputy Clerks of said Justices and fixing their salaries and to repeal article 11 of chapter 43 of the Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

Senate bill No. 104, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 106, entitled

An act entitled an act to authorize the various Circuit Courts of the State of Missouri to appoint a committee to investigate accounts of public officers handling funds,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 105, entitled

An act to tax corporate franchises and for the payment of the same into the State Treasury,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 107, entitled

An act entitled an act concerning Attorney-General, Circuit and Prosecuting Attorney,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 108, entitled

An act to amend chapter 20 of the Revised Statutes of the State of Missouri, 1899, relating to divorce, alimony and custody of children by repealing section numbered 2924, and enacting in lieu thereof a new section, to be numbered 2924, and by adding thereto three new sections, to be numbered 2932a, 2932b and 2932c,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 109, entitled

An act to create the office of Pardon Clerk; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 110, entitled

An act to amend section 2286, article 8 of chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Crimes and punishments," and relating to certain substances not to be used in compounds to be used in the preparation of food, by striking out the words "or alum," in the sixth (6th) line, and at the end of said section, and also by inserting between the words "bismuth" and "ammonia," in the sixth line of said section the word "or,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 111, entitled

An act to appropriate money for the erection of a building for the use of the Young Men's Christian Association of the University of the State of Missouri at Columbia, Missouri,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 112, entitled

An act to create a State Board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said Board,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Senate bill No. 113, entitled

An act to provide for the reimbursement of Audrain county, out of the State Revenue and State Interest funds, for moneys heretofore paid into the State Treasury belonging to said county,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 114, entitled

An act to define and to tax the franchises of corporations doing business in this State, except such as are for religious, educational or charitable purposes, requiring the State Board of Equalization to value the same and providing penalties,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 115, entitled

An act to amend article 7, chapter 154 of the Revised Statutes of 1899 of the State of Missouri, entitled "Schools," by adding new sections thereto, to be known as sections 9982a, 9982b, 9982c, 9982d,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 116, entitled

An act to amend section 2267, of article 8, of the Revised Statutes of Missouri of 1899, entitled "Offenses against public morals or decency, or the public police and miscellaneous offenses,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 117, entitled

An act prohibiting the purchase and sale of stolen property,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 118, entitled

An act to repeal article 1 of chapter 47 of the Revised Statutes of the State of Missouri, 1899, entitled "Mechanics' liens,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 119, entitled

An act to provide for the appointment of a Factory Inspector and defining his term of service, salary, powers and duties,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Senate bill No. 120, entitled

An act to prevent and punish the desecration of the flag of the United States,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 121, entitled

An act to repeal section 2064 of article 5, of chapter 15, entitled "Crimes and punishments," and enacting a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 122, entitled

An act to amend section 6353, of article 13 chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 124, entitled

An act to authorize the repayment of certain funds heretofore paid into the State Treasury to create a State University Scholarship fund,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 24, entitled

An act to amend section 2759 of article 12, relating to proceedings before Justices in misdemeanors of chapter 16, entitled "Practice and proceedings in criminal cases," of the Revised Statutes of Missouri of 1899,

Was taken up and read first time.

House bill No. 35, entitled

An act to amend section four thousand one hundred and thirty-two (4132), chapter 44, of the Revised Statutes of 1899, relating to landlords and tenants,

Was taken up and read first time.

House bill No. 63, entitled

An act to amend section 4987 of the Revised Statutes of 1899, relating to County Counselors, with an emergency clause,

Was taken up and read first time.

House bill No. 79, entitled

An act to amend article 1, chapter 42, Revised Statutes of Missouri, 1899, entitled "Juries, grand and petit," by adding a new section thereto, to be known as section 3782a, and relating to the number of jurors necessary to concur in order to render a verdict,

Was taken up and read first time.

House bill No. 80, entitled

An act to amend sections 3994 and 4001 of article 7 chapter 43, Revised Statutes of Missouri, 1899, entitled "Justices' courts," and relating to appearance, pleadings, adjournments and consolidation of actions,

Was taken up and read first time.

House bill No. 109, entitled

An act to repeal section 1723 of article 3, chapter 14, Revised Statutes, 1899, entitled "Courts of record," and to enact a new section in lieu thereof, to be known as section 1723,

Was taken up and read first time.

House bill No. 119, entitled

An act to amend section 1727, of article 3, of chapter 14 of the Revised Statutes of 1899, of Missouri, entitled "Courts of record,"

Was taken up and read first time.

Senate Joint and Concurrent resolution No. 4,

Concurrent resolution submitting to the qualified voters of Missouri, an amendment to the Constitution thereof concerning the Judicial Department,

Was taken up, and on motion of Senator Haynes, was laid over informally.

Senate bill No. 43 was taken up, ordered engrossed and printed.

Senator Whaley moved to suspend the rules and take up Senate bill No. 2.

Motion prevailed.

Senator Whaley moved that Senate bill No. 2 be engrossed and printed.

Motion prevailed.

Senate bill No. 60 was taken up and laid over informally.

Senate bill No. 91 was taken up and ordered engrossed and printed.

Senate bill No. 62 was taken up and laid over informally.

Senate bill No. 38 was taken up and ordered engrossed and printed.

Senator Rollins moved that the rules be suspended and the Senate take up Senate bill No. 9.

Motion prevailed.

Senator Rollins moved that Senate bill No. 9 be read third time and placed upon its passage.

Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants; making agreements between attorney and client a lien upon the cause of action,

Was taken up, read third time, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Cooper,  
Costello,

Davisson,  
Dowell,  
Drabelle,  
Haynes,  
Heather,  
Jewell,

Martin (Saline),  
Morton,  
Orchard,  
Rollins,  
Rubey,  
Smith,

Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley—23.

NAYS—Senators

Farris,

Lee,

Tandy—3.

Absent with leave—Senators

Clarke,  
Fields,

Marshall,  
Matthews,

Ramp,  
Schoenlaub,

Zevely—7.

Sick—Senator Martin (St. Louis)—1.

Senator Rollins moved that the vote by which Senate bill No. 9 passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

Title to Senate bill No. 9 was read and agreed to.

Senators Fields, Clarke and Ramp were granted leave of absence.

The following message was received from the Governor, through his Private Secretary:

Executive Department, State of Missouri,  
Jefferson City, January 28, 1901.

To the Senate:

I have the honor to advise that I have this day appointed Z. T. Martin of Lathrop physician of the State penitentiary (by and with the consent of the Senate) to hold for a term of four years from the third Monday in January, 1901.

Respectfully,

A. M. DOCKERY,  
Governor.

Which was read.

The following message was received from the Governor, through his Private Secretary:

January 28, 1901.

To the President of the Senate:

I have the honor herewith to return to the Senate, with my approval endorsed thereon, Senate bill No. 24, entitled "An act to amend article 1 of chapter 111 of the Revised Statutes of the State of Missouri of 1899, entitled 'Health, board of,' by adding a new section thereto, to be known as section 7529a."

Respectfully,  
A. M. DOCKERY,  
Governor.

Which was read.

On motion of Senator Costello, the Senate went into executive session.

Regular session resumed.

On motion of Senator Farris, Senate adjourned until 10 a. m. tomorrow.

## TWENTIETH DAY—Tuesday, January 29, 1901.

Senate met pursuant to adjournment.

President Lee in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Martin (Saline) offered the following resolution:

Whereas, It is necessary for the Ways and Means Committee to have access to the law of the land conveniently arranged; and

Whereas, There are now no books in the room of said committee; therefore be it Resolved, That the Secretary of State be requested to supply the room, No. 42, for the Ways and Means Committee a set of reports of the Supreme Court, the court of appeals, the Revised Statutes of 1899, the session acts of the different years and a set of digests of Missouri reports.

Which was read and adopted.

Senator Drabell introduced Senate bill No. 153, entitled

An act to amend article eight of chapter 102 of the Revised Statutes of 1899, entitled "Registrations and elections in cities with 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 154, entitled

An act to amend section 4358 of chapter 52, Revised Statutes of Missouri of 1899, of the mortgages and deeds of trust law, entitled "Acknowledgment of satisfaction and release, how made;"

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 155, entitled

An act to amend section 1192 of the Revised Statutes of Missouri, 1899, entitled "Passenger charges regulated," by making classes B and C passenger rates same as class A;

Read first time and 150 copies ordered printed.

Senator Haynes introduced Senate bill No. 156, entitled

An act relating to the bringing of suits for the publication of libel in newspapers;

Read first time and 150 copies ordered printed.

Senator Zevely introduced Senate bill No. 157, entitled

An act to amend section 302 of chapter 1, Revised Statutes of Missouri, 1899, relating to "State Seminary Moneys;"

Read first time and 150 copies ordered printed.

The following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 229, entitled

An act to appropriate money for the cost of assessing and collecting the revenues for the years 1901 and 1902, including the contingent expenses of the State Board of Equalization;

Also, House bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State school and seminary funds during the years 1901 and 1902;

Also, House bill No. 227, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902;

Also, House bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State,

In which the concurrence of the Senate is respectfully requested. Which were read.

Committee substitute for House bill No. 8, entitled

An act to amend section 9767, chapter 154, entitled "Schools," of the Revised Statutes of the State of Missouri, 1899, by adding at the close of such section, the following words: "Unless a suitable building is procured within twenty days, in which to continue the school to the end of the term,"

Was taken up and read first time.

House bill No. 60, entitled

An act to amend article 17 of chapter 30, Revised Statutes of Missouri, 1899, entitled "Militia," by adding a new section thereto, to be known as section 8728a, and relating to the establishment of a post of the National Guard of Missouri at the Missouri Military Academy, Mexico, Mo.,

Was taken up and read first time.

House bill No. 61, entitled

An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled "Dower,"

Was taken up and read first time.

Committee substitute for House bill No. 78, entitled

An act to amend chapter 51, Revised Statutes of Missouri, 1899, entitled "Married women," by adding a new section thereto, to be known as section 4341a, and relating to the non-liability of husband for wife's torts,

Was taken up and read first time.

House bill No. 125, entitled

An act to amend section 13 of the act creating the criminal court of Jackson county, relating to changes of venue in said court,

Was taken up and read first time.

House bill No. 139, entitled

An act to amend section 1526 of chapter 12, article 18 of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private,"

Was taken up and read first time.

A message from the Governor.

(For message see appendix.)

On motion of Senator Farris, all House bills on first and second reading were laid over until the printed copies are furnished the Senate by the House.

Senator Tandy was called to the chair.

Senate bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3 of the Revised Statutes of 1899, by inserting between the words "indictment" and "except," in the first line thereof, the words "or information," and by striking out the word "provisions," in the 15th line of said section, and inserting in lieu thereof the words "the last mentioned provisions,"

Was taken up, read third time, and placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Bradley,  | Drabelle, | Martin (Saline), | Sullivan,  |
| Clarke,   | Farris,   | Matthews,        | Tandy,     |
| Clay,     | Fields,   | Morton,          | Thomas,    |
| Cooper,   | Haynes,   | Orchard,         | Walker,    |
| Costello, | Heather,  | Rubey,           | Whaley,    |
| Davison,  | Jewell,   | Smith,           | Zevely—27. |
| Dowell,   | Lee,      | Stubbs,          |            |

NOES—Senator Rollins—1.

Absent with leave—Senators

|          |           |       |               |
|----------|-----------|-------|---------------|
| Biggs,   | Marshall, | Ramp, | Schoenlaub—5. |
| Collins, |           |       |               |

Sick—Martin (St. Louis)—1.

Title was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 14 was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled "Jurisdiction in felonies and misdemeanors—in information in courts of record" by striking out the word "misdemeanor," in the second line of said section and inserting in lieu thereof the word "crime,"

Was taken up, read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |                  |            |
|-----------|----------|------------------|------------|
| Biggs,    | Davison, | Jewell,          | Smith,     |
| Bradley,  | Dowell,  | Martin (Saline), | Stubbs,    |
| Clarke,   | Farris,  | Matthews,        | Sullivan,  |
| Clay,     | Fields,  | Morton,          | Tandy,     |
| Cooper,   | Haynes,  | Orchard,         | Walker—23. |
| Costello, | Heather, | Rubey,           |            |

## NAYS—Senators

|                            |           |             |           |
|----------------------------|-----------|-------------|-----------|
| Drabelle,                  | Rollins,  | Whaley,     | Zevely—4. |
| Absent with leave—Senators |           |             |           |
| Collins,                   | Marshall, | Schoenlaub, | Thomas—6. |
| Lee,                       | Ramp,     |             |           |

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 15 was passed be reconsidered.

Senator Sullivan moved that that motion be laid on the table.

The latter motion prevailed.

Senator Fields moved that vote by which Senate bill No. 16 was ordered engrossed be reconsidered.

Motion prevailed.

On motion of Senator Fields, Senate bill No. 16 was laid over informally.

Senate bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of Revised Statutes of 1899, entitled "Costs in criminal cases,"

Was taken up, read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Rollins,         | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davisson, | Lee,      | Smith,           | Zevely—30. |
| Dowell,   | Marshall, |                  |            |

## NAYS—None.

Absent with leave—Senators

|          |       |               |
|----------|-------|---------------|
| Collins, | Ramp, | Schoenlaub—3. |
|----------|-------|---------------|

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Dowell moved that the vote by which Senate bill No. 17 was passed be reconsidered.

Senator Martin (Saline) moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 18, entitled

An act to amend section 1990 of article 3 of chapter 15 the Revised Statutes of 1899, entitled "Offenses against public and private property,"

Was taken up, read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Rollins,         | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davisson, | Marshall, | Smith,           | Zevely—29. |
| Dowell,   |           |                  |            |

## NAYS—None.

Absent with leave—Senators

|          |      |       |               |
|----------|------|-------|---------------|
| Collins, | Lee, | Ramp, | Schoenlaub—4. |
|----------|------|-------|---------------|

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Farris moved that the vote by which the bill was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 26, entitled

An act to amend section 9327 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph, and express franchises,

Was taken up, read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Rollins,         | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davisson, | Lee,      | Smith,           | Zevely—29. |
| Dowell,   |           |                  |            |

NAYS—None.

Absent with leave—Senators

|          |           |       |               |
|----------|-----------|-------|---------------|
| Collins, | Marshall, | Ramp, | Schoenlaub—4. |
|----------|-----------|-------|---------------|

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Dowell mover to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Was taken up, read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Lee,             | Stubbs,    |
| Bradley,  | Drabelle, | Martin (Salinè), | Sullivan,  |
| Clarke,   | Farris,   | Matthews,        | Tandy,     |
| Clay,     | Fields,   | Morton,          | Thomas,    |
| Cooper,   | Haynes,   | Orchard,         | Walker,    |
| Costello, | Heather,  | Rollins,         | Whaley,    |
| Davisson, | Jewell,   | Rubey,           | Zevely—28. |

NAYS—None.

Absent with leave—Senators

|           |       |             |          |
|-----------|-------|-------------|----------|
| Collins,  | Ramp, | Schoenlaub, | Smith—5. |
| Marshall, |       |             |          |

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 27 was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Was taken up, read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Rollins,         | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davisson, | Lee,      | Smith,           | Zevely—30. |
| Dowell,   | Marshall, |                  |            |

## NAYS—None.

Absent with leave—Senators

Collins, Ramp, Schoenlaub—3.

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 28 was passed be reconsidered.

Senator Martin (Saline) moved that that motion be laid on the table.

The latter motion prevailed.

Senate bill No. 29, entitled

An act to amend section 9391 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Was taken up, read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Rollins,         | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davisson, | Lee,      | Smith,           | Zevely—30. |
| Dowell,   | Marshall, |                  |            |

## NAYS—None.

Absent with leave—Senators

Collins, Ramp, Schoenlaub—3.

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 29 was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 53, entitled

An act to amend section 6515 of article 22 of chapter 91, Revised Statutes of Missouri of 1899, entitled "Towns and villages,"

Was taken up, read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Marshall,        | Tandy,     |
| Bradley,  | Farris,   | Martin (Saline), | Thomas,    |
| Clay,     | Fields,   | Morton,          | Walker,    |
| Cooper,   | Haynes,   | Orchard,         | Whaley,    |
| Costello, | Heather,  | Rubey,           | Zevely—23. |
| Dowell,   | Lee,      | Stubbs,          |            |

## NAYS—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Jewell,   | Rollins, | Sullivan—7. |
| Davisson, | Matthews, | Smith,   |             |

Absent with leave—Senators

Collins, Ramp, Schoenlaub—3.

Sick—Senator Martin (St. Louis)—1.

Title read and agreed to.

Senator Farris moved that the vote by which enate bill No. 53 was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senator Bradley moved that the matter of printing engrossed House bills be referred to the Committee on Joint Rules.

The motion prevailed.

Senate bill No. 71 was taken up and laid over informally.

The following communications was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, January 29, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named as members of the Board of Managers of the State Industrial Home for Girls, located at Chillicothe, to hold for term of four years from February 1, 1901:

T. B. YATES, Gallatin,  
W. T. DAMERON Huntsville,  
TINSLEY BROWN, Hamilton,  
MRS. MARY W. MIRICK, Carrollton.  
Respectfully,

A. M. DOCKERY,  
Governor.

Read and referred to Committee on Penitentiary and Reform Schools.

Executive Department, State of Missouri, }  
Jefferson City, January 29, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) Samuel A. Pence of Kearney, a member of the Board of Managers of the Missouri School for the Deaf at Fulton for a term of four years from February 1, 1901.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
Jefferson City, January 29, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed by and with the advice and consent of the Senate) J. B. Jewell of Springfield, a member of the Board of Managers of State Hospital for Insane No. 3 at Nevada for a term of four years from February 1, 1901.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
Jefferson City, January 29, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) J. N. Holmes of Piedmont a member of the Board of Managers of the Missouri School for the Blind at St. Louis for a term of four years from February 1, 1901.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Senator Whaley moved that the vote by which Senate bill No. 2 was ordered to engrossment be reconsidered.

The motion prevailed.

Senator Haynes offered the following amendments to Senate bill No. 2:

Amendment No. 1 to Senate bill No. 2:

Amend section 1, printed bill, by striking out the words "including any judgments," in the 9th line of said section and "and" which

appear between the word "amended," in the third line of section 1, and the word "by," in the 4th line thereof;

Read first and second times and adopted.

Amendment No. 2 to Senate bill No. 2:

Amend section 1 by inserting between the words "district and that," in the 8th line thereof, the words "against which there is a judgment or judgments or;"

Read first and second times and adopted.

Amendment No. 3 to Senate bill No. 2:

Amend section 1 by inserting between the words "which" and "a," in the 9th line thereof, the words "judgment or judgments or indebtedness;"

Read first and second times and adopted.

Amendment No. 4 to Senate bill No. 2:

Amend section 1 of printed bill by inserting between the words "indebtedness" and "bonds," in the 25th line, the words "including any judgments;"

Read first and second times and adopted.

Amendment No. 5 to Senate bill No. 2:

Amend section 1 by inserting between the words "district" and "that," in the 49th line thereof, the words "against which there is a judgment or judgments or;"

Read first and second times and adopted.

Amendment No. 6 to Senate bill No. 2:

Amend section 1 by inserting between the words "which" and "a," in the 50th line of said section the words "judgment or judgments or indebtedness;"

Read first and second times and adopted.

On motion of Senator Whaley, Senate bill No. 2, was ordered engrossed and printed, as amended.

Senator Dowell introduced Senate bill No. 158, entitled

An act to amend section 4358, chapter 52 of the Revised Statutes of 1899, entitled "Mortgages and deeds of trust," by adding certain words thereto pertaining to the acknowledgment of satisfaction and release of mortgages or deeds of trust when notes are paid and lost or destroyed;

Read first time and 150 copies ordered printed.

On motion of Senator Rubey, the Senate adjourned until 10 a. m. tomorrow.

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TWENTY-FIRST DAY—Wednesday, January 30, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Schoenlaub introduced Senate bill No. 159, entitled

An act to amend section 9013, chapter 145 of the Revised Statutes of the State of Missouri, entitled "Public printing," by adding

between the words "press-work" and "the," in line 19 of said section, an additional provision;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of Missouri, 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand;"

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 163, entitled

An act to amend section 8909 of the Revised Statutes of 1899, relating to pay of county school commissioners;

Read first time and 150 copies ordered printed.

Senator Sullivan introduced Senate bill No. 164, entitled

An act to amend section 2696 of article 10, chapter 16, Revised Statutes of 1899, entitled "Appeals;"

Read first time and 150 copies ordered printed.

Senator Sullivan introduced Senate bill No. 165, entitled

An act to amend chapter 96, Revised Statutes, 1899, entitled "Coroners and inquests," by adding thereto a new section to be known as section 6633a;

Read first time and 150 copies ordered printed.

Senator Farris, from the Committee on Private Corporations, submitted the following report:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 13, entitled

An act in reference to telephone lines, erected, owned or constructed by two or more persons,

Begs leave to report that it has examined the same and recommends that it do pass, with accompanying amendment.

Which was read.

Amendment No. 1 to Senate bill No. 13:

Amend Senate bill No. 13 by adding after the word "changes," at the end of section 1, the following words: "Provided, that a majority of the owners of any such line may remove the wires or poles, or discontinue the use of said line.

The following message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Senator Morton called to the chair.

Senator Bradley, from the Committee on Privileges and Elections, submits the following reports:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 61, entitled

An act to amend article 8, chapter 102 of the Revised Statutes of 1899, relating to elections, by adding a new section thereto, prohibiting interference by the police with registration of voters and elections, and providing penalties therefor.

Begs leave to report that it has examined the same and recommends that it do not pass.

Which was read.

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and relating to registration in cities having a population of 25 thousand inhabitants and less than 100 thousand inhabitants, by adding a new section thereto, to be known as section 7205a,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have or which may hereafter have over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees, defining offenses and prescribing penalties for violating the provisions of this act,

Begs leave to report that it has examined the same and recommends that it do pass with the following amendment:

Amendment No. 1 to Senate bill No. 68:

Amend Senate bill No. 68, section 18, subdivision 1, by inserting between the word "reside," at the end of line seventy-eight, and the word "if," at the beginning of line seventy-nine in the original bill, the following words, viz: "Are you a \_\_\_\_\_ (giving the name of the party holding the primary.)"

Which were read.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submits the following report:

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 10, entitled

An act to prevent unscrupulous non-residents from practicing medicine by proxy in this State by giving the State Board of Health power to revoke certificate of such persons,

Begs leave to report that it has examined the same and recommends that it do pass with amendments 1, 2 and 3 attached:

Amendment No. 1 to Senate bill No. 10:

Strike out all of the title to said bill after the word "person." in the third line of the title in the printed copy of said bill, to wit: "By

adding a new section to chapter 128, Revised Statutes of 1899, to be known as section 8514a."

Which was read.

Amendment No. 2 to Senate bill No. 10:

Strike out "by the board," in the seventh line of the printed copy of said bill.

Amendment No. 3 to Senate bill No. 10:

Strike out "in the meaning of the preceding section," in the eighth line of the printed copy of said bill.

Senator Tandy, from the Committee on Engrossed Bills, submits the following reports:

Mr. President: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899, of the revenue law, entitled "Collector's commissions;"

Also, Senate bill No. 43, entitled

An act fixing the times for holding court in the Fifteenth judicial circuit and in the criminal court of the Fifteenth circuit of the State of Missouri;

Also, Senate bill No. 38, entitled

An act to amend section 581, Revised Statutes of Missouri, 1899, entitled "Orders of publication to be published, where and how long;"

Also, Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597,

Beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Which were read.

Senate bill No. 123, entitled

An act to repeal sections 1427 and 1438 of the Revised Statutes of Missouri of 1899, entitled "Trust companies," and to enact two new sections, to be known as sections 1427 and 1438,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State.

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 126, entitled

An act to regulate business and trade in cities having a population of fifty thousand or over, declaring it unlawful and making it a misdemeanor to transact business in violation of the provisions thereof, and providing a penalty for such violation; providing for the appointment of license commissioners in such cities, prescribing their powers, defining their duties and fixing their compensation,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 128, entitled

An act providing for the paroling of convicts, the revocation of paroles, and the arrest and reincarceration of convicts paroled,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 129, entitled

An act authorizing the Supreme Court of the State of Missouri to transfer from the law library of the State at Jefferson City, to the law library of the State University at Columbia such treatises, textbooks and digests of law as may not be required for further use in the law library of the State,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 130, entitled

An act to repeal section 2997 of article 1, chapter 22 of the Revised Statutes of Missouri of 1899, entitled "Dramshops," and by enacting a new section in lieu thereof, to be known as section 2997,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 131, entitled

An act entitled an act for the relief of B. F. Elder and Albert Stone for the apprehension of one Ben Richardson charged with murder,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 132, entitled

An act entitled "An act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy, and to enact a new section relating to the same subject, to be known as section 7502a, with an emergency clause,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Senate bill No. 135, entitled

An act to repeal section 6709 of article 2, chapter 97 of the Revised Statutes of Missouri, 1899, entitled "County buildings and removal of county seats," and to enact two new sections in lieu thereof,

Was taken up, read second time, and referred to Committee on County Courts and Justice of the Peace.

Senate bill No. 136, entitled

An act to amend section 2921 of chapter 20, Revised Statutes of Missouri, 1899, relating to divorce, alimony and custody of children,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 137, entitled

An act to amend section 2927 of chapter 20, Revised Statutes of Missouri, 1899, relating to divorce, alimony and custody of children,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 138, entitled

An act to amend chapter 20, Revised Statutes of the State of Missouri, 1899, entitled "Divorce, alimony and custody of children," by

adding six new sections thereto, to be known as sections 2932a, 2932b, 2932c, 2932d, 2932e, 2932f,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 139, entitled

An act to amend section 2947 of chapter 21, Revised Statutes of the State of Missouri, entitled "Dower," by adding to said section words, declaring; divorce granted to husband for incurable insanity of wife a bar to dower,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 141, entitled

An act to amend section 1823, article 2, chapter 15, Revised Statutes of 1899, entitled "Offenses against the lives and persons of individuals,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2, of chapter 133 of the Revised Statutes of Missouri, 1899, entitled "Safety and inspection of mines," and enact two new sections in lieu thereof,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Senate bill No. 144, entitled

An act to authorize the trustees in mortgages or deeds of trust given by railway companies, to enter satisfaction of same,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State school and seminary funds during the years 1901 and 1902,

Was taken up and read first time.

House bill No. 227, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902,

Was taken up and read second time.

House bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State,

Was taken up and read second time.

House bill No. 229, entitled

To appropriate money for the cost of assessing and collecting the

revenue for the years 1901 and 1902, including contingent expenses of the State Board of Equalization,

Was taken up and read second time.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, January 30, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the board of regents of State Normal School, District No. 3, located at Cape Girardeau, for term of six years from January 1, 1901: Louis Houck, Cape Girardeau; Leon J. Albert, Cape Girardeau, and John H. Rainey of Greenville, vice K. W. Weber, deceased, for term ending January 1, 1905.

Respectfully,  
A. M. DOCKERY,  
Governor.

Which was read and referred to the Committee on University, Normal Schools, Agricultural College and School of Mines.

The following message received from the Governor, through his Private Secretary, Mr. Crenshaw, was read and referred to the Committee on Judiciary, with instruction to examine and report on same:

To the Senate:

I invite attention to the necessity for an amendment to our statutes prohibiting boards of managers and other officers of the State having charge of eleemosynary, educational and other institutions from being interested in contracts for work to be performed and supplies to be furnished such institutions.

The law establishing the Federal Soldiers' Home and the Confederate Soldiers' Home provides that "No member of the board of managers shall, either directly or indirectly, furnish any supplies towards the maintenance of said home, or its buildings or grounds, nor be directly or indirectly interested in any corporation furnishing such supplies."

Section 10002, R. S. 1899, relating to normal schools and the Lincoln institute, says: "No president, professor, teacher, regent or other officer or employee shall keep for sale or be interested, directly or indirectly, in the sale of any school furniture or apparatus, books, maps, charts or stationery used in said schools, nor be interested directly, or indirectly, in any contract or purchase for building or repairing any structure or for fencing or ornamenting the grounds or furnishing any supplies or material for the use of such normal school."

Section 8884, R. S. 1899, relating to contracts for convict labor, is in the following language: "No State officer or person connected with the penitentiary as an officer or employee, the inspectors included, shall be directly, or indirectly, interested in any contract for convict labor."

I also cite section 8885, R. S. 1899, relating to contracts for provisions, etc., furnished the penitentiary, which provides that "No State officer or person connected with the penitentiary as an officer or employee, the inspectors included, shall be directly, or indirectly, interested in any such contract."

Section 5 of the act creating the State Board of Charities and Corrections also declares that "No member of said board, or the secretary, shall be directly, or indirectly, interested in any contract, either for work to be performed or supplies to be furnished for any institution which the board is authorized to visit and inspect."

These wholesome restrictive provisions do not apply to all of our eleemosynary, educational and other institutions. It is obvious that they should be applied.

In the management of all State institutions and State boards I will demand the enforcement of the spirit of the statutes to which I have adverted, but in order that the interests of the people may be more securely guarded, I respectfully urge the amendment of the existing law.

A. M. DOCKERY,

Executive office, City of Jefferson, January 30, 1901.

Senator Haynes introduced Senate bill No. 166, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, entitled "Elections," and providing for registration of voters in cities of 100,000 inhabitants or more;

Read first time and 150 copies ordered printed.

Senator Clarke asked unanimous consent to call up Senate bill No. 62;

Which was granted.

Senator Clarke called up Senate bill No. 62, and moved that the bill be engrossed and printed.

Motion prevailed, and bill was ordered engrossed and printed.

On motion of Senator Farris, Senate adjourned until 10 a. m. tomorrow.

TWENTY-SECOND DAY—Thursday, January 31, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Farris presented a petition from citizens of the Twenty-fourth senatorial district, praying for the passage of a law for the protection of the game and fish interests of the State;

Which was read.

Senator Bradley presented a petition from many citizens, praying for the passage of a law prohibiting the importation of children from New York and elsewhere into the State of Missouri in order that the poor children of our own State can be better taken care of;

Which was read.

The following communication, received from the House of Representatives, through its Chief Clerk, Mr. Tall, was read:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 59, entitled

An act to amend chapter 10, Revised Statutes, 1899, entitled "Contracts and promises," by adding a new section thereto, to be known as section 899a, and relating to real estate agents, their dual agency prohibited and providing for a recovery in certain cases;

Also, House bill No. 20, entitled

An act to amend section 4369, chapter 52, Revised Statutes of Missouri, 1899, entitled "Mortgages and deeds of trust, providing for the reduction of fees to trustees on foreclosure;"

Also, House bill No. 98, entitled

An act to amend section 822, chapter 8, article 11, Revised Statutes, relating to changes of venue;

Also, House bill No. 51, entitled

An act to amend section 9865, chapter 154, article 2, Revised Statutes of Missouri, 1899, entitled "City, town and village schools," by adding a new section thereto, to be known as section 9865a; amend title by adding to the title "with an emergency clause;"

Also, House bill No. 166, entitled

An act to repeal sections 6819, 6820 and 6821 of article 6 of chapter 97 of the Revised Statutes of Missouri, 1899, and to enact three new sections in lieu thereof, entitled "Depositories for county funds;"

Also, House bill No. 200, entitled

An act to amend section 1740 of article 3, chapter 14 of the Revised Statutes, 1899, entitled "Courts of record in Twenty-second judicial circuit; amend title by adding to title "With an emergency clause,"

In which the concurrence of the Senate is respectfully requested.

Senator Walker introduced Senate bill No. 167, entitled

An act to amend section 1855, article 2, chapter 15 of the Revised Statutes of 1899, relating to crimes and punishments;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 168, entitled

An act authorizing and directing the State Treasurer to transfer moneys from the University Endowment Tax fund to the General Revenue fund;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 169, entitled

An act providing for a commission to erect a statue or monument to the memory of Col. Thomas H. Benton, and making an appropriation therefor;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 170, entitled

An act to repeal section 8043 of article VIII, chapter 119 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 8043;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within the State;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 172, entitled

An act to amend sections 7223, 7229 and 7242, and to repeal sections 7224 and 7226 of article 8, chapter 102 of the Revised Statutes of Missouri of 1899, entitled "Registration and elections in cities with 300,000 inhabitants or over," and to enact a new section in lieu of said section 7224, to be known as section 7224;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 173, entitled

An act to amend section 7969, Revised Statutes of Missouri for the year 1899, entitled "Insurance;"

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 174, entitled

An act to amend section 7972 of chapter 119, article 6 of the Revised Statutes of Missouri of 1899;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 175, entitled

An act authorizing local fire insurance agents to make schedules for rating in cities and counties where they are located.

Read first time and 150 copies ordered printed.

A message was received from the Governor, through his private Secretary, Mr. Crenshaw:

[For message, see Appendix.]

Senator Collins introduced Senate bill No. 176, entitled

An act to amend section 8884 of article I of chapter 141, entitled "Penitentiary;"

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 177, entitled

An act requiring corporations doing a life insurance business in the State of Missouri on the mutual plan to furnish the Insurance Department annual statements of the individual compensation received by the officers and directors of such corporations, together with account of expenses, commissions paid for business and earning of investments;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 178, entitled

An act to prescribe the charges of sleeping or palace cars on railroads in this State;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 179, entitled

An act to prohibit the sale of cream or milk adulterated by the addition of chemicals or preservatives;

Read first time and 150 copies ordered printed.

Senator Schoenlaub introduced Senate bill No. 180, entitled

An act to provide for the regulation of the employment of convicts sentenced to imprisonment in the penitentiary, and to regulate the disposition of products of such convict labor;

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof providing for the election of certain officers, and fixing their tenure of office in cities and towns under special charters and having 10,000 inhabitants or less, and repealing all acts or parts of acts in conflict therewith;

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 182, entitled

An act to prohibit managers, trustees, officers and employes of Eleemosynary and Educational Institutions from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal;

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 183, entitled

An act to repeal section 4372, of chapter 52, of the Revised Statutes of Missouri of 1899, relating to mortgages and deeds of trusts;

Read first time and 150 copies ordered printed.

Senator Collins (by request) introduced Senate bill No. 184, entitled

An act to regulate the running of street cars across boulevards, and to provide a penalty for the violation of the provisions of the act;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following reports:

Mr. President: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 2, entitled

An act to amend section 5157 of article 1 of chapter 83, Revised Statutes of Missouri of 1899, in relation to funding county, township, school district and other bonds;

Also, Senate bill No. 62, entitled

An act providing that in certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which the city is sued;

Beg leave to report that they have compared the same, and find

them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 72, entitled

An act to amend section 7229, article 8, chapter 102 of the Revised Statutes of Missouri of 1899, relative to elections,

Begs leave to report that it has examined the same and recommends that it do pass, with the following amendment:

Amendment No. 1 to Senate bill No. 72:

Amend Senate bill No. 72 by striking out in first section of said bill all of lines 4, 5, 6, 7, 8 and 9 and in place thereof insert the following: Provided that the Board of Election Commissioners shall appoint the judges and clerks of the two leading political parties from lists of six names for each precinct; such names to be furnished by the central committeemen representing their respective parties; so that said section, as amended, will read as follows:

Section 1. That section 7229, article 8, chapter 102 of the Revised Statutes of Missouri of 1899, be and the same is hereby amended by adding thereto the following proviso, to wit: Provided, that the Board of Election Commissioners shall appoint the judges and clerks of the two leading political parties from lists of six names for each precinct; such names to be furnished by the central committeemen representing their respective parties; so that said section, as amended, will read as follows:

Which was read.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, to which was referred Senate bill No. 21, entitled

An act fixing the number of directors in public school boards in cities having three hundred thousand inhabitants and over, providing for the election and for districting same,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senate bill No. 127, entitled

An act to provide for primaries and conventions and for nominations to public offices in cities now containing, or which may hereafter contain 150,000 and less than 300,000 inhabitants, and in counties which now contain, or may hereafter contain such cities, and defining certain offenses, and providing penalties therefor. To repeal sections 7131 to 7145, both inclusive, and 7163 to 7170, both inclusive, and to amend sections 7275, 7278, 7281, 7287, 7289, 7290, 7294, 7295 and 7303 of the Revised Statutes of Missouri of 1899, and to repeal all other acts and parts of acts inconsistent with this act.

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 133, entitled

An act for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 134, entitled

An act to amend section 8287, Revised Statutes of Missouri, 1899, relating to lands, by adding thereto a provision authorizing appeal in certain cases,

Was taken up, read second time, and referred to Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains.

Senate bill No. 140, entitled

An act to amend section 3620 of the Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 145, entitled

An act to establish the "Missouri General Hospital," and to provide for its regulation, equipment and conduct or management, and appropriating money to purchase a site and to build said Missouri General Hospital,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 146, entitled

An act to provide for the inspection of gas meters and illuminating gas in all cities of the State now having, or which may hereafter have, a population of fifty thousand inhabitants or over; authorizing the appointment of inspectors in and for such cities; defining their powers and duties, and prescribing penalties for its violation,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 147, entitled

An act requiring surety companies, incorporated under the laws of other states, before doing business in this State, to make deposit with the Insurance Department to indemnify persons doing business with such company against loss,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 148, entitled

An act to prevent the issuance of life insurance upon persons under the age of fifteen (15) years, and to provide a penalty therefor,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 149, entitled

An act to repeal sections 2245 and 2246, Revised Statutes, 1899,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 150, entitled

An act to repeal article 7 of chapter 91, Revised Statutes, 1899,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 151, entitled

An act respecting the identification of criminals,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 152, entitled

An act to amend section 4314, relating to marriage; may be solemnized by whom, of chapter 50 of the Revised Statutes of Missouri of 1899, entitled "Marriage and marriage contracts,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State School and Seminary funds during the years 1901 and 1902,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 227, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State.

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 229, entitled

An act to appropriate money for the cost of assessing and collecting the revenue for the years 1901 and 1902, including contingent expenses of the State Board of Equalization.

Was taken up, read second time, and referred to Committee on Appropriations.

President Pro Tem. Farris was called to the chair.

Senator Walker moved that the further reading of House bills be dispensed with until the printed copies are furnished the Senate.

The motion prevailed.

Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899, of the revenue law, entitled "Collectors' commissions,"

Was read third time and put upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Smith,     |
| Bradley,  | Farris,   | Matthews,        | Stubbs,    |
| Clay,     | Fields,   | Morton,          | Tandy,     |
| Collins,  | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rubey,           | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—30. |
| Dowell,   | Marshall, |                  |            |

NAYS—None.

Absent with leave—Senators

|         |          |             |
|---------|----------|-------------|
| Clarke, | Rollins, | Sullivan—3. |
|---------|----------|-------------|

Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Haynes moved that the vote by which Senate bill No. 8 was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 38, entitled

An act to amend section 581, Revised Statutes of Missouri, 1899, entitled "Orders of publication to be published, where and how long,"

Was read third time and put upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Smith,     |
| Bradley,  | Farris,   | Matthews,        | Stubbs,    |
| Clay,     | Fields,   | Morton,          | Sullivan,  |
| Collins,  | Haynes,   | Orchard,         | Tandy,     |
| Cooper,   | Heather,  | Ramp,            | Thomas,    |
| Costello, | Jewell,   | Rollins,         | Walker,    |
| Davison,  | Lee,      | Rubey,           | Whaley,    |
| Dowell,   | Marshall, | Schoenlaub,      | Zevely—32. |

NAYS—None.

Absent with leave—Senator Clarke.

Sick—Senator Martin (St. Louis)—1.

The title was read and agreed to.

Senator Rubey moved that the vote by which Senate bill No. 38 was passed be reconsidered.

Senator Martin (Saline) moved to lay that motion on the table.

The latter motion prevailed.

The following communications from the Governor were received, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, January 30, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen members of the Board of Trustees of the Federal Soldiers' Home, located at St. James, to hold for a term of six years from the third Wednesday of January, 1901: W. A. Young, Salem; Charles F. Vogel, St. Louis; W. H. Wakefield, Kansas City.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
Jefferson City, January 31, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) N. A. Wade of Butler a member of the Board of Managers of the Missouri School for the Deaf, located at Fulton, to hold for a term of four years from February 1, 1901.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
Jefferson City, January 30, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen members of the Board of Curators of the University of the State of Missouri to hold for a term of six years from January 1, 1901: Gardiner Lathrop, Kansas City; A. McVey, Chillicothe; B. G. Thurman, Lamar.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on University, Normal Schools, Agricultural Colleges and School of Mines.

Senate bill No. 43, entitled

An act fixing the times for holding court in the Fifteenth Judicial Circuit and in the criminal court of the Fifteenth Circuit of the State of Missouri,

Was read third time and put upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Smith,     |
| Bradley,  | Farris,   | Matthews,        | Stubbs,    |
| Clay,     | Fields,   | Morton,          | Sullivan,  |
| Collins,  | Haynes,   | Orchard,         | Tandy,     |
| Cooper,   | Heather,  | Ramp,            | Thomas,    |
| Costello, | Jewell,   | Rollins,         | Walker,    |
| Davisson, | Lee,      | Rubey,           | Whaley,    |
| Dowell,   | Marshall, | Schoenlaub,      | Zevely—32. |

## NOES—NONE.

Absent with leave—Senator Clarke—1.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to Senate bill No. 43 was adopted by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Smith,     |
| Bradley,  | Farris,   | Matthews,        | Stubbs,    |
| Clay,     | Fields,   | Morton,          | Sullivan,  |
| Collins,  | Haynes,   | Orchard,         | Tandy,     |
| Cooper,   | Heather,  | Ramp,            | Thomas,    |
| Costello, | Jewell,   | Rollins,         | Walker,    |
| Davisson, | Lee,      | Rubey,           | Whaley,    |
| Dowell,   | Marshall, | Schoenlaub,      | Zevely—32. |

## NOES—NONE.

Absent with leave—Senator Clarke—1.

Sick—Senator (Martin St. Louis)—1.

The title to the bill was read and agreed to.

Senator Heather moved that the vote by which Senate bill No. 43 and emergency clause were passed be reconsidered.

Senator Costello moved that that motion be laid on the table.

The latter motion prevailed.

Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597,

Was read third time, put upon its passage and passed by the following vote:

## YEAS—Senators

|           |           |                  |           |
|-----------|-----------|------------------|-----------|
| Biggs,    | Drabelle, | Marshall,        | Smith,    |
| Bradley,  | Farris,   | Martin (Saline), | Sullivan, |
| Clay,     | Fields,   | Matthews,        | Stubbs,   |
| Collins,  | Haynes,   | Morton,          | Tandy,    |
| Cooper,   | Heather,  | Ramp,            | Walker,   |
| Costello, | Jewell,   | Rubey,           | Whaley—27 |
| Davisson, | Lee,      | Schoenlaub,      |           |

## NAYS—Senators

Dowell, Orchard—2.

Absent with leave—Senators

|         |          |         |           |
|---------|----------|---------|-----------|
| Clarke, | Rollins, | Thomas, | Zevely—4. |
|---------|----------|---------|-----------|

Sick—Senator—Martin (St. Louis)—1.

The title was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 91 passed be reconsidered.

Senator Bradley moved that that motion be laid on the table.

The latter motion prevailed.

Senate bill No. 10 was ordered engrossed and printed.

Senate bill No. 13 was ordered engrossed and printed.

Senate bill No. 61 was taken up.

On motion of Senator Rollins, the bill was laid over informally.

Senate bill No. 68 was taken up.

On motion of Senator Drabelle, was laid over informally.

Senate bill No. 92 was taken up.

On motion of Senator Ramp, the bill was ordered engrossed and printed.

Senate bill No. 60 was taken up and laid over informally.

Senate bill No. 16 was taken up and laid over informally.

Senators Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary to which was referred Senate bill No. 45, entitled

An act to require the publication of the laws in newspapers,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

Senator Fields moved that Senate bill No. 45 be indefinitely postponed.

The motion prevailed.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 54, entitled

An act to amend the law in relation to the time in which wills shall be contested,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 109, entitled

An act creating a pardon clerk,

Begs leave to report that it has examined the same and recommends that it do pass, with the accompanying amendments:

Amendment No. 1 to Senate bill No. 109:

Amend section 3 to Senate bill No. 109, by adding thereto the following: "Payable out of the State treasury, in monthly installments, upon the certificate of the Governor to the State Auditor, who shall issue warrants for the same.

Amendment No. 2 to Senate bill No. 109:

Amend Senate bill No. 109 by adding a new section thereto as an emergency clause:

Section 4. The fact that there is an immediate necessity existing for the services of a Pardon Clerk, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

Which were read and adopted.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 128, entitled

An act providing for the paroling of convicts, etc.,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 64, entitled

An act amending article 5 of chapter 91 of the Revised Statutes of 1899, providing for the government of cities of the fourth class,

Begs leave to report that it has examined the same and recommends that it do pass, with accompanying amendments, Nos. 1 and 2:

Committee amendment No. 1 to Senate bill No. 64:

Amend Senate bill No. 64 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That article 5 of chapter 91 of the Revised Statutes of Missouri, 1899, be and the same is hereby amended by adding thereto three new sections to be known as sections 6003a, 6003b and 6003c, to read as follows:

Section 6003a. That all real estate owned by a county and situate within the corporate limits of any city of the fourth class shall be subject to the provisions of all ordinances of such city which relate to the erection and maintenance of hitching posts, sidewalks, guttering, curbing, fences along streets and alleys and the paving and macadamizing of streets to the same extent as that of private citizens of such city.

Section 6003b. It shall be the duty of the county court whenever any of the improvements of the property set out in section 6003a is required by ordinance to forthwith make such improvement fronting or abutting any real estate owned by the county and lying within the corporate limits of the city and included in the terms of the ordinance in compliance with the provisions of such ordinance and pay for such improvements out of the general fund of the county.

Section 6003c. If the county court shall fail, neglect or refuse to comply with the provisions of any ordinance providing for the improvement of property as herein provided for a period of sixty days after notice has been served on the county clerk of the requirements of the ordinance and the kind and nature of improvements to be made, the city shall proceed to make such improvements in the same manner as is provided by ordinance for the making of similar improvements by private citizens, and shall issue special tax bills for the costs of all labor and material necessary in making such improvements, and such special tax bills shall be a valid claim against such county, and it shall be the duty of the county court at its next regular meeting after the completion of said improvements to audit, allow and pay out of the general fund of the county the cost of making said improvements or the special tax bills issued therefor.

Amendment No. 2 to Senate bill No. 64:

Amend title to Senate bill No. 64 by striking out all of said title after figures "1899" in the second line thereof, and inserting in lieu thereof the following words: "Relating to cities of the fourth class," by adding three new sections to said article, to be known as sections 6003a, 6003b and 6003c;

Which were read and adopted.

On motion of Senator Walker, the Senate went into executive session.

Regular session resumed.

On motion of Senator Rubey, Senate took a recess until 2 p. m.

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## AFTERNOON SESSION.

The hour of recess having expired,

The President called the Senate to order.

Senator Rubey, from the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State school and seminary funds during the years 1901 and 1902,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Biggs introduced Senate bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13, 1867," as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b;

Read first time and 150 copies ordered printed.

A message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

[For message, see Appendix.]

Senator Rubey, from the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 229, entitled

An act to appropriate money for the costs of assessing and collecting the revenue for the years 1901 and 1902, including contingent expenses of the State Board of Equalization,

Begs leave to report that it has examined the same and recommends that it do pass.

Which were read.

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 227, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendment,

Which were read.

Senate amendment No. 1 to House bill No. 227:

Amend House bill No. 227, by striking out in section one the words and figures "one million eight hundred and eighty-seven thousand dollars (\$1,887,000)," and inserting in lieu thereof the words and figures "five hundred thousand dollars (\$500,000);"

Senator Rubey moved that the Senate resolve itself into a Committee of the Whole to consider House bills Nos. 226, 227, 228 and 229, with amendment,

The motion prevailed.

The Committee of the Whole, having considered the aforesaid bills,

The committee arose with President in the chair.

Senator Rubey, from the Committee of the Whole, submitted the following reports:

Mr. President: Your Committee of the Whole, to which was referred House bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State school and seminary funds during the years 1901 and 1902,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee of the Whole, to which was referred House bill No. 227, with committee amendment No. 1, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendment,

Senate amendment No. 1 to House bill No. 227:

Amend House bill No. 227 by striking out in section one the words and figures "one million eight hundred and eighty-seven thousand dollars (\$1,887,000)," and inserting in lieu thereof the words and figures "five hundred thousand dollars (\$500,000;)"

Read first and second times and agreed to.

Mr. President: Your Committee of the Whole, to which was referred House bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee of the Whole, to which was referred House bill No. 229, entitled

An act to appropriate money for the cost of assessing and collecting the revenue for the years 1901 and 1902, including contingent expenses of the State Board of Equalization,

Begs leave to report that it has examined the same and recommends that it do pass.

Which were read.

Senator Schoenlaub introduced Senate bill No. 186, entitled

An act to regulate the sale, delivery and mortgaging of household and kitchen furniture, pianos and organs, sewing machines, typewriters, cash registers and wearing apparel paid for in part by installments or otherwise, and chattel mortgage, deed of trust or other instrument of writing, executed and delivered for deferred payments upon such chattel property, and to repeal section 7090 of chapter 116 of the Revised Statutes on the same subject;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 187, entitled

An act requiring all street railways organized under the laws of this State to issue transfers at all intersecting points upon payment of fare or presentation of another transfer;

Read first time and 150 copies ordered printed.

Senator Cooper, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments, to which was referred Senate joint and concurrent resolution No. 1, entitled

That at the general election to be held on Tuesday next, following the first Monday in November, A. D. 1902, that the following amendment to the Constitution of the State of Missouri, concerning taxation, be submitted to the qualified voters of the State of Missouri as follows:

Section 1. That article ten (10) of the Constitution of the State of Missouri be and the same is hereby amended by adding thereto one new section, to be known as section 24, which is in words and figures as follows:

Sec. 24. Sections twenty-two (22) and twenty-three (23) of article ten (10) of the Constitution of the State of Missouri concerning taxation, be and the same are hereby repealed,

Which was read.

Begs leave to report that it has examined the same and recommends that it do pass.

Senator Morton moved that the rules be suspended and the Senate take up Senate joint and concurrent resolution No. 1.

The motion prevailed.

On motion of Senator Morton, Senate joint and concurrent resolution No. 1 was ordered engrossed and printed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the two following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 74, entitled

An act to amend section 6466 of article 19 of chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Public libraries and buildings."

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 122, entitled

An act to amend section 6353 of article 13 of chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages,

Begs leave to report that it has examined the same and recommends that it do pass.

\* Which were read.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, January 31, 1901

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the State Board of Charities and Corrections: Fred V. Loos, Liberty, for a term of six years from January 1, 1901; C. M. Johnson, St. Charles, vice R. E. Young, resigned, term ending January 1, 1903.

Respectfully,  
—A. M. DOCKERY,  
Governor.

Which was read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Collins, from the Committee on Penitentiary and Reform Schools, submitted the following report:

Mr. President: Your Committee on Penitentiary and Reform Schools, to which was referred Senate bill No. 19, entitled

An act to amend section 7759, article 5 of chapter 118 of the Revised Statutes of 1899, entitled "Reform school for boys,"

Have considered same and recommend that it do pass.  
Which was read.

On motion of Senator Walker, the Senate adjourned until 10 a. m. tomorrow.

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TWENTY-THIRD DAY—Friday, February 1, 1901.

The Senate met pursuant to adournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Rollins introduced Senate bill No. 188, entitled

An act to amend chapter 12, article 6, Revised Statutes, 1899, entitled "Telegraph and telephone companies," by adding a new section thereto, to be known as section 1255a;

Read first time and 150 copies ordered printed.

Senator Rollins introduced Senate bill No. 189, entitled

An act to provide against the adulteration of food or drugs;

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 190, entitled

An act to amend section 9454, chapter 151, article 1, Revised Statutes of 1899, entitled "Roads and highways;"

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 191, entitled

An act to provide the manner of assessment and collection of the revenue relating to sleeping car companies;

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 192, entitled

An act to provide for the licensing and taxation of buffet, cafe, special, parlor, dining and hotel cars and to regulate the sale of intoxicating liquors;

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 193, entitled

An act to regulate the charges for the transportation of passengers on sleeping cars and parlor cars in the State of Missouri and classifying same;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 194, entitled

An act to repeal section 9874, article 2, chapter 154 of Revised Statutes of 1899, entitled "City, town and village schools," and to enact a new section in lieu thereof, with an emergency clause;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 195, entitled

An act to provide for an annual accounting to policy holders in mutual life insurance companies, and to regulate the distribution of profits or surplus;

Read first time and 150 copies ordered printed.

Senator Ramp offered the following resolution:

Resolved, That the docket clerk be requested to place the blackboard calendar in the Senate room and keep a record of the Senate calendar thereon.

Which was read and adopted.

Senator Sullivan introduced Senate bill No. 196, entitled

An act to amend section 9828 of chapter 154 of Revised Statutes of 1899, entitled "Schools;"

Read first time and 150 copies ordered printed.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 37, entitled

An act to create an additional civil division for circuit court Sixteenth judicial circuit, Jackson county, and for the appointment of an additional judge therefor, and to abolish the criminal court of said county, etc.,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

On motion of Senator Haynes the rules were suspended and Senate bill No. 37, was taken up and ordered engrossed and printed.

Senator Rubey was granted leave of absence on account of sickness.

Senator Clay, from the Committee on Labor, Mines and Manufactories, submitted the following report:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 112, entitled

An act to create a State board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said board,

Begs leave to report that it has examined the same and recommends that it do pass with the following amendments, numbered 1, 2, 3 and 4, hereto annexed;

Amendment No. 1 to Senate bill No. 112:

Amend the title of Senate bill No. 112, by inserting after the word "act," in the first line, the words "to repeal article 2, of chapter 121 of the Revised Statutes of Missouri, 1899, and."

Amendment No. 2 to Senate bill No. 112:

Amend Senate bill No. 112, by striking out all of section 10 of said bill, and inserting in lieu thereof the following:

Section 10. That article 2 of chapter 121 of the Revised Statutes of Missouri, 1899, be and the same is hereby repealed.

Amendment No. 3 to Senate bill No. 112:

Amend Senate bill No. 112, (printed bill) section 3, by adding thereto the following proviso: "Provided, that neither said board nor the clerk thereof shall receive any compensation except for time actually engaged in the discharge of their duties as set forth in this act and in going to and from the place of meeting."

Amendment No. 4 to Senate bill No. 112:

Amend Senate bill No. 112, section 9, by striking out the word "annual," in the first line of section 9, and inserting in lieu thereof the word "biennial."

Which were read and adopted.

Senator Clay moved that the rules be suspended and that Senate bill No. 112, as amended, be ordered engrossed and printed.

The motion prevailed.

Senator Martin (Saline) introduced Senate bill No. 197, entitled "An act to amend article I, chapter 149, Revised Statutes of 1899, entitled 'Taxation and equalization and the assessment and collection of the revenues, and providing for the taxation of mortgages and deeds of trust;'"

Read first time and 150 copies ordered printed.

Senator Martin (Saline) introduced Senate bill No. 198, entitled "An act to amend section 9121 of article I of chapter 149 of the Revised Statutes of 1899, entitled 'Taxation and equalization and the assessment and collection of the revenue;'"

Read first time and 150 copies ordered printed.

Senator Martin (Saline) introduced Senate bill No. 199, entitled "An act to amend section 9151, article 2, chapter 149 of Revised Statutes, 1899, entitled 'Assessors and the assessment of property;'"

Read first time and 150 copies ordered printed.

Senator Martin (Saline) introduced Senate bill No. 200, entitled

"An act to amend chapter 147, Revised Statutes of 1899, entitled 'Recorders of deeds,' by providing that the recorder of deeds shall annually make out and certify to the assessor of that county a list of all unsatisfied mortgages and deeds of trust, by adding a new section to be known as section 9096a;

Read first time and 150 copies ordered printed.

Senate bill No. 153, entitled

"An act to amend article eight of chapter 102 of the Revised Statutes of 1899, entitled 'Registrations and elections in cities with 300,000 inhabitants or over,' by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of board of registration and clerks, and the payment thereof by such cities,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 154, entitled

"An act to amend section 4358 of chapter 52, Revised Statutes of Missouri of 1899, of the mortgages and deeds of trust law, entitled 'Acknowledgment of satisfaction and release, how made,'"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 155, entitled

"An act to amend section 1192 of the Revised Statutes of 1899, entitled 'Passenger charges regulated,' by making classes B and C passenger rates same as class A,

Was taken up, read second time, and referred to Committee on Railroad and Internal Improvements.

Senate bill No. 156, entitled

"An act relating to the bringing of suits for the publication of libel in newspapers,

Was taken up, read second time, and referred to Committee on Judiciary.

The following Communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

Committee substitute for House bill No. 7, entitled

An act to amend section 581 of the Revised Statutes of Missouri, 1899, relating to orders of publication.

In which the concurrence of the Senate is respectfully requested; Which was read.

Senate bill No. 157, entitled

An act entitled an act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State Seminary moneys,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 158, entitled

An act to amend section 4358, chapter 52 of the Revised Statutes of 1899, entitled "Mortgages and deeds of trust," by adding certain words thereto pertaining to the acknowledgment of satisfaction and release of mortgages or deeds of trust when notes are paid and lost or destroyed,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 159, entitled

An act to amend section 9013, chapter 145 of the Revised Statutes of the State of Missouri, entitled "Public printing," by adding between the words "presswork" and "the," in line 19 of said section, an additional provision,

Was taken up, read second time, and referred to Committee on Printing and Joint Printing.

Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House bill No. 20, entitled

An act to amend section 4369 of chapter 52 of Revised Statutes of Missouri, entitled "Mortgages and deeds of trust,"

Was read first time and laid over under the rules.

House bill No. 51, entitled

An act to amend section 9865, chapter 154, article 2, Revised Statutes of Missouri, 1899, entitled "City, town and village schools," by adding a new section thereto, to be known as section 9865a,

Was read first time and laid over under the rules.

House bill No. 59, entitled

An act to amend chapter 10, Revised Statutes of Missouri, 1899, entitled "Contracts and promises," by adding a new section thereto, to be known as section 899a, and relating to real estate agents, their dual agency prohibited and providing for a recovery in certain cases,

Was read first time and laid over under the rules.

Committee substitute for House bill No. 98, entitled

An act to amend section 822, chapter 8, article XI of the Revised Statutes of the State of Missouri, relating to changes of venue,

Was read first time and laid over under the rules.

House bill No. 166, entitled

An act to repeal sections 6819, 6820 and 6821 of article 6 of chapter 97 of the Revised Statutes of Missouri, 1899, and to enact three new sections in lieu thereof, entitled "Depositaries for county funds,"

Was read first time and laid over under the rules.

House bill No. 200, entitled

An act to amend section 1740 of article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record,"

Was read first time and laid over under the rules.

President Pro Tem. Farris was called to the chair.

Senate bill No. 2, entitled

An act to amend section 5157 of article one of chapter 83, Revised Statutes of Missouri of 1899, in relation to funding county, township, school district and other bonds,

Was taken up, read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Farris,          | Matthews,   | Stubbs,    |
| Bradley,  | Fields,          | Morton,     | Sullivan,  |
| Clarke,   | Haynes,          | Orchard,    | Tandy,     |
| Clay,     | Heather,         | Ramp,       | Thomas,    |
| Cooper,   | Jewell,          | Rollins,    | Walker,    |
| Costello, | Lee,             | Schoenlaub, | Whaley,    |
| Dowell,   | Marshall,        | Smith,      | Zevely—50. |
| Drabelle, | Martin (Saline), |             |            |

NAYS—None.

Absent with leave—Senators

|          |           |          |
|----------|-----------|----------|
| Collins, | Davisson, | Rubey—3. |
|----------|-----------|----------|

Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Whaley moved that the vote by which Senate bill No. 2 was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 62, entitled

An act providing that in certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which the city is sued,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—31. |
| Dowell,   | Marshall, | Smith,           |            |

NAYS—None.

Absent with leave—Senators

|          |          |
|----------|----------|
| Collins, | Rubey—2. |
|----------|----------|

Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Clark moved that the vote by which Senate bill No. 62 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 19 was ordered engrossed and printed.

Senate bill No. 21 was taken up and laid over informally.

Senate bill No. 54 was ordered engrossed and printed.

Senate bill No. 61 was taken up and laid over informally.

Senate bill No. 64 was ordered engrossed and printed.

Senate bill No. 68 was taken up and laid over informally.

Senate bill No. 72 was ordered engrossed and printed.

Senate bill No. 74 was ordered engrossed and printed.

Senate bill No. 109 was taken up.

Senator Morton offered the five following amendments:

Amendment No. 3 to Senate bill No. 109:

Amend Senate bill No. 109, by striking out the word "clerk," in line one of title of printed bill and insert the word "attorney."

Amendment No. 4 to Senate bill No. 109:

Amend Senate bill No. 109, by striking out the word "clerk," in lines one, two and five of section 1, printed bill, and insert in lieu thereof the word "attorney."

Amendment No. 5 to Senate bill No. 109:

Amend Senate bill No. 109, by striking out the word "clerk," in line one, section 2, of printed bill, and insert in lieu thereof the word "attorney."

Amendment No. 6 to Senate bill No. 109:

Amend Senate bill No. 109 by striking out the word "clerk," in line one, section three, of printed bill, and insert in lieu thereof the word "attorney."

Amendment No. 7 to Senate bill No. 109:

Amend Senate bill No. 109 by striking out the word "clerk," in line four of section four of written section the word "clerk," and insert in lieu thereof, the word "attorney."

Which were read first and second times and agreed to.

Senate bill No. 109, as amended, was ordered engrossed and printed.

Senate bill No. 122 was ordered engrossed and printed.

Senate bill No. 128 was ordered engrossed and printed.

House bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State school and seminary funds during the years 1901 and 1902.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Cooper,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,

Marshall,  
Martin (Saline),  
Matthews,  
Morton,  
Orchard,  
Ramp,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Walker,  
Whaley,  
Zevely—28.

NAY—Senator Rollins—1.

Absent with leave—Senators

Collins, Rubey, Thomas—3.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Schoenlaub,      | Whaley,    |
| Davisson, | Lee,      | Smith,           | Zevely—30. |
| Dowell,   | Marshall, |                  |            |

NAY—Senator Rollins—1.

Absent with leave—Senators

Collins, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which House bill No. 226 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 227, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Farris,          | Matthews,   | Stubbs,    |
| Bradley,  | Fields,          | Morton,     | Sullivan,  |
| Clarke,   | Haynes,          | Orchard,    | Tandy,     |
| Clay,     | Heather,         | Ramp,       | Thomas,    |
| Cooper,   | Jewell,          | Rollins,    | Walker,    |
| Costello, | Lee,             | Schoenlaub, | Whaley,    |
| Dowell,   | Marshall,        | Smith,      | Zevely—30. |
| Drabelle, | Martin (Saline), |             |            |

NAY—Senator Davisson—1.

Absent with leave—Senators

Collins, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—31. |
| Dowell,   | Marshall, | Smith,           |            |

NAYS—None.

Absent with leave—Senators

Collins, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Bradley moved that the vote by which House bill No. 227 was passed be reconsidered.

Senator Martin (Saline) moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—31. |
| Dowell,   | Marshall, | Smith,           |            |

NAYS—None.

Absent with leave—Senators,  
Collins, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—31. |
| Dowell,   | Marshall, | Smith,           |            |

NAYS—None.

Absent with leave—Senators  
Collins, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Bradley moved that the vote by which House bill No. 228 was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 229, entitled

An act to appropriate money for the cost of assessing and collecting the revenue for the years 1901 and 1902, including contingent expenses of the State Board of Equalization.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—31. |
| Dowell,   | Marshall, | Smith,           |            |

NAYS—None.

Absent with leave—Senators  
Collins, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators,

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Martin (Saline), | Stubbs,    |
| Bradley,  | Farris,   | Matthews,        | Sullivan,  |
| Clarke,   | Fields,   | Morton,          | Tandy,     |
| Clay,     | Haynes,   | Orchard,         | Thomas,    |
| Cooper,   | Heather,  | Ramp,            | Walker,    |
| Costello, | Jewell,   | Rollins,         | Whaley,    |
| Davisson, | Lee,      | Schoenlaub,      | Zevely—31. |
| Dowell,   | Marshall, | Smith,           |            |

NAYS—None.

Absent with leave—Senators

Clay, Rubey—2.

Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Martin (Saline) moved that the vote by which House bill No. 229 was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

•The latter motion prevailed.

Senator Zevely submitted report from committee appointed by the Governor to visit State institutions;

Which was read and 3,000 copies ordered printed for the use of the Senate.

Senator Walker moved that the Senate adjourn until 3 p. m. Monday, February 4, 1901.

The motion prevailed, and the Senate adjourned.

## TWENTY-FOURTH DAY—Monday, February 4, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Whaley introduced Senate bill No. 201, entitled

An act requiring the State Auditor to prescribe forms of all blanks and books used by the officers of the revenue service, and the rules for settlements with the Treasury Department for moneys collected for the State, and providing for the employment of accountants, and fixing their compensation;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 202, entitled

An act to repeal section 10427 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 203, entitled

An act to repeal section 10429 of article 1, chapter 170 of the Revised Statutes of the State of Missouri 1899, entitled "Treasury Department," and enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

A message was received from the Governor, through his Private Secretary, Mr. Crenshaw

[For message, see Appendix.]

Senator Drabelle introduced Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of three hundred thousand inhabitants, to declare the discharge into the open air of dense smoke within the corporate limits of such cities

a public nuisance, and to provide penalties for the violation and enforcement thereof;

Read first time and 150 copies ordered printed.

Senator Ramp introduced Senate bill No. 205, entitled

An act to amend section 5157, article 1, chapter 83, Revised Statutes, 1899, entitled "Bonds, municipal," etc;

Read first time and 150 copies ordered printed.

Senator Fields introduced Senate bill No. 206, entitled

An act to amend sections 995 and 997 of article 1, chapter 12 of the Revised Statutes of Missouri of 1899, relating to the services of summons in actions against corporations and when the same may be instituted and prosecuted;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 207, entitled

An act to punish the crime of stealing or maliciously removing journal bearings, fixtures or attachments from locomotives, tenders, freight or passenger cars;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 208, entitled

An act to repeal sections 7000 and 7046, chapter 102, article 1 of the Revised Statutes of the State of Missouri of 1899, relating to general elections and to enact new sections in place thereof, and also to add a new section to same chapter 102, article 1 of said Revised Statutes, to be known as section 7031a;

Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 209, entitled

An act to amend section 973, article 1, chapter 12, Revised Statutes of Missouri of 1899, entitled "Corporations—private;"

Read first time and 150 copies ordered printed.

Senator Dowell introduced Senate bill No. 210, entitled

An act to amend section 1719 of article 3, chapter 14, Revised Statutes of 1899, entitled "Courts of record;"

Read first time and 150 copies ordered printed.

Senator Jewell (by request) introduced Senate bill No. 211, entitled

An act authorizing the appointment of Quarter-Master Sergeants of the National Guard of Missouri;

Read first time and 150 copies ordered printed.

Senators Walker, Farris, Rollins, Bradley and Biggs were granted leave of absence.

Senator Lee introduced (by request) Senate bill No. 212, entitled

An act to provide for the donation by the State to certain public libraries of copies of the Supreme and Appellate Courts, with an appropriation of money therefor;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following reports:

Mr. President: Your Committee on Engrossed Bills to which was referred Senate bill No. 13, entitled

An act in reference to telephone lines erected, owned or constructed by two or more persons;

Also, Senate bill No. 10, entitled

An act to prevent unscrupulous non-residents from practicing medicine by proxy in this State by giving the State Board of Health power to revoke certificate of such persons;

Also, Senate bill No. 19, entitled

An act to amend section 7759, article 5, of chapter 118, of the Revised Statutes of 1899, entitled "Reform School for Boys;"

Also, Senate bill No. 37, entitled

An act to create an additional civil division in and for the Circuit Court of the Sixteenth Judicial Circuit at Kansas City, Jackson county; for the appointment and election of an additional judge of said Circuit Court; to increase the salaries of the judges of said court; to empower the judges of said Circuit Court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said Circuit Court and to make rules for other purposes; to abolish the Criminal Court of said county and to vest the jurisdiction thereof in the Jackson County Circuit Court; to transfer the judge of the Criminal Court to the office of Circuit Judge; to abolish the offices of County Marshal and Clerk of the Criminal Court of said county; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of civil cases between the court at Independence and Kansas City;

Also, Senate bill No. 54, entitled

An act to amend sections 4622 and 4624, of chapter 63, of Revised Statutes of the State of Missouri of 1899, entitled "Wills;"

Also, Senate bill No. 74, entitled

An act to amend section 6466, of article 19, chapter 91, of the Revised Statutes of the State of Missouri, 1899, entitled "Public libraries and buildings;"

Also, Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled "Elections" and relating to registration in cities having a population of twenty-five thousand inhabitants and less than one hundred thousand inhabitants, by adding a new section thereto, to be known as section 7205a,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 33, entitled

An act to punish any one guilty of kidnaping or carrying away any child or other person,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 36, entitled

An act to amend article 6, chapter 16, of the Revised Statutes of 1899, entitled "Proceedings before trial, change of venue when granted," by striking out sections 2595, 2596 and 2597, and inserting three new sections in lieu thereof, to be numbered sections 2595, 2596 and 2597,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 107, entitled

An act entitled "An act Attorney-General, Circuit and Prosecuting Attorney,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 117, entitled

An act prohibiting the purchase and sale of stolen property,

Begs leave to report that it has examined the same and recommends that it do pass, with committee amendment No. 1.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property,"

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 151, entitled

An act respecting the identification of criminals,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senate bill No. 161, entitled

An act to appropriate money out of the State Treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand,"

Was taken up, read second time, and referred to Committee on Education, Text-Books, and Public Schools.

Senate bill No. 163, entitled

An act to amend section 9809 of the Revised Statutes of 1899, relating to pay of County School Commissioner,

Was taken up, read second time, and referred to Committee on Education, Text-Books, and Public Schools.

Senate bill No. 164, entitled

An act to amend section 2696, article 10, chapter 16 of the Revised Statutes of 1899, relating to appeals in criminal cases,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 165, entitled

An act to amend chapter 96 of the Revised Statutes of 1899, entitled

"Coroners and inquests," by adding thereto a new section, to be known as section 6633a,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 166, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty;" so that said section, when so amended, shall read as follows:

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 167, entitled

An act to amend section 1855, article 2, chapter 15 of the Revised Statutes of 1899, relating to crimes and punishments,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 168, entitled

An act authorizing and directing the State Treasurer to transfer moneys from the University Endowment Tax fund to the General Revenue fund,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 169, entitled

An act providing for a commission to erect a statue or monument to the memory of Col. Thos. H. Benton and making an appropriation therefor.

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 170, entitled

An act to repeal section 8043 of article 8, chapter 119 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 8043,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 172, entitled

An act to amend sections 7273, 7229 and 7242 and to repeal sections 7224 and 7226 of article 8, chapter 102 of the Revised Statutes of Missouri of 1899, entitled "Registration and elections in cities with 300,000 inhabitants or over," and to enact a new section in lieu of said section 7224, to be known as section 7224,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 173, entitled

An act to amend section 7969, Revised Statutes of Missouri for the year 1899, entitled "Insurance,"

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

Senate bill No. 174, entitled

An act to amend section 7972 of chapter 119, article 6 of the Revised Statutes of Missouri of 1899,

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

Senate bill No. 175, entitled

An act authorizing local fire insurance agents to make schedules for rating in cities and counties where they are located,

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

Committee substitute for House bill No. 7, entitled

An act to amend section 581 of the Revised Statutes of Missouri, 1899, relating to orders of publication,

Was read first time and laid over under the rules.

The President called Senator Thomas to the chair.

Senator Clarke moved to suspend the rules and take up Senate bill No. 37.

The motion prevailed.

Senator Clarke moved that the bill be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 37, entitled

An act to create an additional civil division in and for the Circuit Court of the Sixteenth Judicial Circuit at Kansas City, Jackson county: for the appointment and election of an additional judge of said Circuit Court; to increase the salaries of the judges of said court; to empower the judges of said Circuit Court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said Circuit Court and to make rules for other purposes; to abolish the Criminal Court of said county and to vest the jurisdiction thereof in the Jackson County Circuit Court; to transfer the judge of the Criminal Court to the office of Circuit Judge; to abolish the offices of County Marshal and Clerk of the Criminal Court of said county; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of civil cases between the court at Independence and Kansas City,

Was taken up, read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|           |           |                  |             |
|-----------|-----------|------------------|-------------|
| Clarke,   | Dowell,   | Lee,             | Schoenlaub, |
| Clay,     | Drabelle, | Martin (Saline), | Smith,      |
| Collins,  | Fields,   | Matthews,        | Sullivan,   |
| Cooper,   | Haynes,   | Morton,          | Tandy,      |
| Costello, | Heather,  | Orchard,         | Thomas,     |
| Davisson, | Jewell,   | Ramp,            | Whaley—24.  |

NAYS—None.

Absent with leave—Senators

|          |           |         |           |
|----------|-----------|---------|-----------|
| Biggs,   | Marshall, | Rubey,  | Walker,   |
| Bradley, | Rollins,  | Stubbs, |           |
| Farris,  |           |         | Zevely—9. |

Sick—Mr. Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators,

Clarke,  
Clay,  
Collins,  
Cooper,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Fields,  
Haynes,  
Heather,  
Jewell,

Lee,  
Martin (Saline),  
Matthews,  
Morton,  
Orchard,  
Ramp,

Schoenlaub,  
Smith,  
Sullivan,  
Tandy,  
Thomas,  
Whaley—24.

NAYS—None.

Absent with leave—Senators

Biggs,  
Bradley,  
Farris,

Drabelle,  
Marshall,  
Rollins,

Rubey,  
Stubbs,

Walker,  
Zevely—9.

Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Clarke moved that the vote by which Senate bill No. 37 with the emergency clause was passed, be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, February 4, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) Harvey C. Clark of Butler brigadier-general of the national guard of Missouri.

Respectfully,  
A. M. DOCKERY,  
Governor.

Senator Drabelle called up Senate bill No. 68.

Senator Drabelle offered the three following amendments to Senate bill No. 68:

Amendment No. 2 to Senate bill No. 68:

Amend Senate bill No. 68, section 12, by striking out the word "two" in line thirty-five of said section (printed bill) and inserting in lieu thereof the word "one."

Amendment No. 3 to Senate bill No. 68:

Amend Senate bill No. 68, section 13, by striking out the word "readily," in line four of said section (printed bill), and inserting in lieu thereof the words "directly and easily."

Amendment No. 4 to Senate bill No. 68:

Amend Senate bill No. 68, section 18, subdivision 3, by inserting between the words "election" and "until," in line one hundred and twenty-four of said section (printed bill), the following words: "Until such primary is declared open by the judges; said watchers shall then retire from the polling place, but shall have free communication with the challengers therein, and when the polls are declared closed by the judges said watchers may re-enter the polling place and there remain;

Which were read the first and second time and agreed to.

Senate bill No. 68 was laid over informally.

Senator Morton introduced Senate bill No. 213, entitled

An act to re-enact section 2303 and section 2304 of the Revised Statutes of Missouri, 1899, entitled "Destruction of certain birds prohibited;"

Read first time and 150 copies ordered printed.

On motion of Senator Orchard, Senate adjourned until 10 a. m. tomorrow.

## TWENTY-FIFTH DAY—Tuesday, February 5, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Whaley presents a petition by citizens of his district praying for the passage of a bill prohibiting the sale of cigarettes and cigarette wrappers in this State.

Read and referred to Committee on Criminal Jurisprudence.

Senator Davisson presented a petition signed by many citizens praying for the passage of a law giving women of twenty-one years of age and over the right to vote at school elections;

Read and referred to Committee on Privileges and Elections.

A message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

[For message, see Appendix.]

Senator Rollins presents a petition from the citizens of the Thirty-fourth Senatorial district asking that he use his influence for the defeat of the "Collins bill, relative to the change of the school law."

Read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Haynes introduced Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registrations of voters in cities having one hundred thousand or more inhabitants, by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty;"

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 215, entitled

An act to amend section 7945, article 6, chapter 119 of the Revised Statutes of Missouri, 1899, entitled "Insurance other than life;"

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 216, entitled

An act to provide for recording mortgages or deeds of trust, given by railway corporations;

Read first time and 150 copies ordered printed.

Senator Sullivan introduced Senate bill No. 217, entitled

An act to repeal section 9800 of article 1, chapter 154 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 64, entitled

An act amending article 5 of chapter 91 of the Revised Statutes of 1899, relating to cities of the fourth class, by adding three new sections to said article, to be known as sections 6003a, 6003b and 6003c,

Also, Senate bill No. 112, entitled

An act to repeal article 2 of chapter 121 of the Revised Statutes of Missouri, 1899, and to create a State Board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said Board,

Also, Senate bill No. 122, entitled

An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages;

Also, Senate bill No. 128, entitled

An act providing for the paroling of convicts, the revocation of paroles, and the arrest and reincarceration of convicts paroled;

Also, Senate bill No. 72, entitled

An act to amend section 7229, article 8, chapter 102 of the Revised Statutes of Missouri of 1899, relative to elections,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Farris, from the Committee on Private Corporations, submitted the following report:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 44, entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private," "Organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendments Nos. 1, 2 and 3;

Which was read.

Amendment No. 1 to Senate bill No. 44:

Amend Senate bill No. 44 by striking out the word "it," in the seventh line of printed bill, and inserting in lieu thereof the words "such corporation;"

Read first and second time and agreed to.

Amendment No. 2 to Senate bill No. 44:

Amend Senate bill No. 44 by adding after the word "corporation," in the twentieth line of the printed bill, the following words: "And the said officers, directors, trustees and managers shall each select or name an agent, who shall reside in this State where service may be had upon him or them, and the said books as above provided shall be open to inspection at all times to the stockholders of said company, which shall show the name of the agent of each director, trustee, or manager of said corporation, and a delivery of a copy of the summons to said agent shall be deemed service upon;"

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 44:

Amend Senate bill No. 44 by striking out the word "and," in the

twentieth line of section 1 of the printed bill, after the word "corporation," in said twentieth line of said printed bill;

Read first and second times and agreed to.

Senate bill No. 10, entitled

An act to prevent unscrupulous non-residents from practicing medicine by proxy in this State by giving the State Board of Health power to revoke certificate of such person,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Martin (Saline), | Smith,     |
| Bradley,  | Drabelle, | Matthews,        | Stubbs,    |
| Clarke,   | Farris,   | Morton,          | Sullivan,  |
| Clay,     | Fields,   | Ramp,            | Tandy,     |
| Collins,  | Jewell,   | Rollins,         | Thomas,    |
| Cooper,   | Lee,      | Rubey,           | Walker,    |
| Costello, | Marshall, | Schoenlaub,      | Whaley—29. |
| Davison,  |           |                  |            |

NAYS—None.

Absent with leave—Senators

|         |          |          |           |
|---------|----------|----------|-----------|
| Haynes, | Heather, | Orchard, | Zevely—4. |
|---------|----------|----------|-----------|

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which Senate bill No. 10 was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 13, entitled

An act in reference to telephone lines erected, owned or constructed by two or more persons,

Was taken up, read third time and placed upon its passage and passed by the following vote:

YEAS—Senators,

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Diggs,    | Dowell,   | Martin (Saline), | Smith,     |
| Bradley,  | Drabelle, | Matthews,        | Stubbs,    |
| Clarke,   | Farris,   | Morton,          | Sullivan,  |
| Clay,     | Fields,   | Ramp,            | Tandy,     |
| Collins,  | Heather,  | Rollins,         | Thomas,    |
| Cooper,   | Jewell,   | Rubey,           | Walker,    |
| Costello, | Lee,      | Schoenlaub,      | Whaley—30. |
| Davison,  | Marshall, |                  |            |

NAYS—None.

Absent with leave—Senators

|         |          |           |
|---------|----------|-----------|
| Haynes, | Orchard, | Zevely—3. |
|---------|----------|-----------|

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 13 was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 19, entitled

An act to amend section 7759, article 5, of chapter 118, of the Revised Statutes of 1899, entitled "Reform School for Boys."

Was taken up, read third time and placed upon its passage and passed by the following vote:

YEAS—Senators,

|           |           |                  |             |
|-----------|-----------|------------------|-------------|
| Biggs,    | Davison,  | Lee,             | Schoenlaub, |
| Bradley,  | Dowell,   | Marshall,        | Smith,      |
| Clarke,   | Drabelle, | Martin (Saline), | Sullivan,   |
| Clay,     | Farris,   | Matthews,        | Tandy,      |
| Collins,  | Fields,   | Ramp,            | Thomas,     |
| Cooper,   | Heather,  | Rollins,         | Walker,     |
| Costello, | Jewell,   | Rubey,           | Whaley—28.  |

NAYS—None.

Absent with leave—Senators

|         |          |         |           |
|---------|----------|---------|-----------|
| Haynes, | Orchard, | Stubbs, | Zevely—5. |
| Morton, |          |         |           |

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Dowell moved that the vote by which Senate bill No. 19 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 74, entitled

An act to amend section 6466 of article 19, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Public libraries and buildings,"

Was read third time and placed upon its passage and passed by the following vote:

YEAS—Senators,

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Martin (Saline), | Smith,     |
| Bradley,  | Drabelle, | Matthews,        | Stubbs,    |
| Clarke,   | Farris,   | Morton,          | Sullivan,  |
| Clay,     | Fields,   | Ramp,            | Tandy,     |
| Collins,  | Heather,  | Rollins,         | Thomas,    |
| Cooper,   | Lee,      | Rubey,           | Walker,    |
| Costello, | Marshall, | Schoenlaub,      | Whaley—28. |

NAYS—None.

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Davisson, | Jewell, | Orchard, | Zevely—5. |
| Haynes,   |         |          |           |

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 74 was passed be reconsidered.

Senator Costello moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 54 was taken up and laid over informally.

Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled "Elections" and relating to registration in cities having a population of twenty-five thousand inhabitants and less than one hundred thousand inhabitants, by adding a new section thereto, to be known as section 7205a,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Marshall,        | Smith,     |
| Bradley,  | Drabelle, | Martin (Saline), | Stubbs,    |
| Clarke,   | Farris,   | Morton,          | Sullivan,  |
| Clay,     | Fields,   | Ramp,            | Tandy,     |
| Collins,  | Heather,  | Rollins,         | Thomas,    |
| Cooper,   | Jewell,   | Rubey,           | Walker,    |
| Costello, | Lee,      | Schoenlaub,      | Whaley—29. |
| Davisson, |           |                  |            |

NAY—Senator Matthews—1.

Absent with leave—Senators

|         |          |           |
|---------|----------|-----------|
| Haynes, | Orchard, | Zevely—3. |
|---------|----------|-----------|

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Ramp moved that the vote by which Senate bill No. 92 was passed be reconsidered.

Senator Martin of Saline moved to lay that motion on the table.

The latter motion prevailed.

The President called the President pro tem. to the chair.

Senate bill No. 33 was ordered engrossed and printed.

Senate bill No. 36 was taken up.

Senator Bradley offered the following amendment to Senate bill No.

36:

Amendment No. 1 to Senate bill No. 36:

That the title to said bill be and the same is hereby amended by striking out the words "striking out," in the third line of said title, and inserting the word "repealing," and by striking out the word "inserting," in the fourth line of said title, and inserting the word "enacting;"

Read first and second times and agreed to.

Senate bill No. 36, as amended, was ordered engrossed and printed.

Senate bill No. 107 was taken up and laid over informally.

Senate bill No. 142 was ordered engrossed and printed.

Senate bill No. 117 was taken up, pending amendment, as follows:

Committee amendment No. 1 to Senate bill No. 117:

Amend Senate bill No. 117 by striking out all of section 2;

Read first and second times and agreed to.

Senate bill, as amended, was ordered engrossed and printed.

Senate bill No. 151 was ordered engrossed and printed.

Senate bill No. 68 was taken up.

Senator Drabelle offered the three following amendments:

Amendment No. 5 to Senate bill No. 68:

Amend Senate bill No. 68, section 14, by inserting between the words "except" and "the," in line fourteen of said section (printed bill), the words "the petition therefor be duly signed by each elector whose name is submitted for delegate therein, and;"

Read first and second times and agreed to.

Amendment No. 6 to Senate bill No. 68:

Amend Senate bill No. 68, section 18, subdivision 1, by striking out the word "two," in line twelve of said section (printed bill), and inserting in lieu thereof the word "one;"

Read first and second times and agreed to.

Amendment No. 7 to Senate bill No. 68:

Amend Senate bill No. 68, section 18, subdivision 2, by inserting between the words "authorized" and "challengers," in line one hundred and twelve of said section (printed bill), the words "watchers or;"

Read first and second times and agreed to.

Senate bill No. 68, as amended, was ordered engrossed and printed.

Senator Rollins moved to suspend the rules and take up Senate bill No. 72.

The motion prevailed.

Senate bill No. 72, entitled

An act to amend section 7229, article 8, chapter 102, of the Revised Statutes of Missouri of 1899, relative to elections,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Cooper,  
Costello,

Davisson,  
Dowell,  
Drabelle,  
Dorris,  
Fields,  
Heather,  
Jewell,

Lee,  
Marshall,  
Matthews,  
Morton,  
Ramp,  
Rollins,  
Rubey,

Schoenlaub,  
Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Walker,  
Whaley—28.

NAYS—None.

Absent with leave—Senators  
Haynes, Orchard,  
Martin (Saline),

Thomas,

Zevely—5.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Cooper,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Heather,  
Jewell,  
Lee,  
Marshall,

Martin (Saline),  
Matthews,  
Morton,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—30.

NAYS—None.

Absent with leave—Senators  
Haynes, Orchard,

Zevely—3.

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which Senate bill No. 72 was passed, together with the emergency clause, be reconsidered.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

The following communications were received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, February 4, 1901.

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) George K. Williams of Flat River, St. Francois county, Inspector of Mines other than coal.

Respectfully,

A. M. DOCKERY,  
Governor.

Referred to the Committee on Labor, Mines and Manufactories.

Executive Department, State of Missouri,  
Jefferson City, February 5, 1901.

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen members of the Board of Managers of the Missouri School for the Blind, located at St. Louis: J. Harvey Moore, St. Louis, for a term ending February 1, 1903; James C. Jones, St. Louis, for a term of four years from February 1, 1901.

Respectfully,

A. M. DOCKERY,  
Governor.

Referred to the Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri,  
Jefferson City, February 5, 1901.

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) Mrs. Julia G. Hurt of Kansas City a member of the State Board of Charities and Corrections, to hold for a term of six years from January 1, 1901.

Respectfully,

A. M. DOCKERY,  
Governor.

Referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Morton introduced Senate bill No. 218, entitled

An act to amend sections 7090 and 7091 of chapter 102 of article 2 of the Revised Statutes of the State of Missouri of 1899, entitled "Elections," by providing for the designation of the newspapers in which the official ballot shall be published and the price that shall be allowed for the same, and making the State of Missouri responsible for one-half of the cost of the publication;

Read first time and 150 copies ordered printed.

On motion of Senator Martin, Senate adjourned until 10 a. m. tomorrow.

TWENTY-SIXTH DAY—Wednesday, February 6, 1901.

The Senate met pursuant to adjournment.

The President in the chair:

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Walker presented a remonstrance protesting against the passage of bill known as the "Simmons Educational bill;"

Which was read and referred to the Committee on Education, Public Schools and Text-Books.

Senator Thomas presented a remonstrance protesting against the passage of bill known as the "Simmons Educational bill;"

Which was read and referred to the Committee on Education, Public Schools and Text-Books.

Senator Schoenlaub introduced Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words;

Read first time and 150 copies ordered printed.

Senator Jewell introduced Senate bill No. 220, entitled

An act to repeal article 7 of chapter 154 of the Revised Statutes of Missouri of 1899, entitled "School book commission;"

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 221, entitled

An act to prevent the sale by persons other than registered pharmacists of drugs or medicines containing any quantity of arsenic, cocaine, chloral, opium or any preparation thereof;

Read first time and 150 copies ordered printed.

Senator Ramp introduced Senate bill No. 222, entitled

An act to amend section 2996, article 1, chapter 22, Revised Statutes of Missouri, 1899, relating to the license tax on dramshops;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have or that may hereafter have three hundred thousand inhabitants or more, abolishing the office of assistant circuit attorney as it now exists and providing for the appointment by the circuit attorney of two assistants and a stenographer, fixing the compensation of such circuit attorney, assistants and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office;

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 224, entitled

An act to provide for registration of land titles, the manner of issuing certificates therefor;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 225, entitled

An act to amend chapter 13, Revised Statutes, 1899, entitled "Costs

in civil cases." by adding a new section thereto, to be known as section 1543a, and relating to cost bonds in civil cases;

Read first time and 150 copies ordered printed.

Senator Haynes introduced Senate bill No. 226, entitled

An act to authorize and provide for the erection of a monument at the grave of Gov. Robert M. Stewart;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 109, entitled

An act to create the office of pardon attorney; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 3,

Begs leave to report that it has examined the same and recommends that it be indefinitely postponed at the request of author of bill;

Which was read.

On motion of Senator Clarke, Senate bill No. 3 was indefinitely postponed.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 7, entitled

Revenue and taxation,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 85, entitled

An act enabling cities of the 4th class to issue bonds, etc.,

Begs leave to report that it has examined the same and recommends that it do pass with amendments Nos. 1 and 2;

Committee amendment No. 1 to Senate bill No. 85:

Amend Senate bill No. 85 by striking out sections 6 and 7 of said bill and enacting one new section in lieu thereof, to be known as section 6, and to read as follows:

Sec. 6. All bonds issued under the provisions of this act shall be presented to and registered by the State Auditor, before being offered for sale, and it shall be the duty of the State Auditor to register such bonds upon satisfactory proof that all the provisions of this act authorizing the issue of bonds have been complied with.

Read first and second times and agreed to.

Committee amendment No. 2 to Senate bill No. 85:

Amend Senate bill No. 85 so that section 8 as it now appears in said bill will read section 7 and section 9, as it now appears will read section 8.

Read first and second times and agreed to.

Which were read.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 108, entitled

An act to amend chapter 20 of the Revised Statutes of the State of Missouri, 1899, relating to divorce, alimony and custody of children by repealing section numbered 2924, and enacting in lieu thereof a new section, to be numbered 2924, and by adding thereto three new sections, to be numbered 2932a, 2932b and 2932c,

Begs leave to report that it has examined the same and recommends that it be indefinitely postponed;

Which were read.

On motion of Senator Haynes, Senate bill No. 108 was indefinitely postponed.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 136, entitled

An act to amend section 2921 of the Revised Statutes of 1899, relating to divorces, alimony, etc.,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 137, entitled

An act to amend section 2927, Revised Statutes, 1899, relating to divorce, etc.,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 138, entitled

An act to amend chapter 20, Revised Statutes, 1899, entitled "Divorce," etc.,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 139, entitled

An act to amend section 2947, Revised Statutes, 1899, entitled "Divorce," etc.,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 140, entitled

An act to amend section 3620, Revised Statutes, 1899, relating to homesteads,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 144, entitled

An act concerning satisfaction of mortgages and deeds of trust,

Begs leave to report that it has examined the same and recommends that the accompanying substitute for same do pass;

Which were read.

Committee substitute for Senate bill No. 144, entitled .

An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of the same,

Read first and second times and adopted.

Senator Farris, from the Committee on Private Corporations, submitted the following reports:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 86, entitled

An act to amend section 1255, article 6 of the Revised Statutes of 1899, entitled "Telegraph and telephone companies,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 147, entitled

An act requiring surety companies incorporated under the laws of other states before doing business in this State to make deposit with the Insurance Department to indemnify persons doing business with such company against loss,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 123, entitled

An act to repeal sections 1427 and 1438 of the Revised Statutes of Missouri of 1899, entitled "Trust companies," and to enact two new sections, to be known as sections 1427 and 1438,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Thomas, from the Committee on Education, Public Schools and Text-Books, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred Senate bill No. 163, entitled

An act to amend section 9809 of the Revised Statutes of 1899, relating to pay of county school commissioner,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred" and inserting in lieu thereof the words "not to exceed two thousand,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 115, entitled

An act to amend article 7, chapter 154 of the Revised Statutes of 1899 of the State of Missouri, entitled "Schools," by adding new sections thereto, to be known as sections 9982a, 9982b, 9982c, 9982d,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 133, entitled

An act to provide for the formation and disbursement of a public

school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senate bill No. 176, entitled

An act to amend section 8884 of article 1 of chapter 141, entitled "Penitentiary,"

Was taken up, read second time, and referred to Committee on Penitentiary and Reform Schools.

Senate bill No. 177, entitled

An act requiring corporations doing a life insurance business in the State of Missouri to furnish the Insurance Department annual statements of the individual compensation received by the officers and directors of such corporations, together with account of expenses, commissions paid for business and earnings of investments,

Was taken up, read second time, and referred to Committee on Life and Accident Insurance and Fraternal Associations.

Senate bill No. 178, entitled

An act to prescribe the charges of sleeping or palace cars on railroads in this State,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 179, entitled

An act to prohibit the sale of cream or milk adulterated by the addition of chemicals or preservatives,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 180, entitled

An act to provide for the regulation of the employment of convicts sentenced to imprisonment in the penitentiary, and to regulate the disposition of products of such convict labor,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict therewith,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 182, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary and educational institutions from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 183, entitled

An act to repeal section 4372 of chapter 52, Revised Statutes of Missouri of 1899, relating to mortgages and deeds of trust,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 184, entitled

An act to regulate the running of street cars across boulevards, and providing a penalty for the violation of the provisions of the act,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana court of common pleas, approved March 13th, 1867," as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and erecting two new sections, to be known as sections 3a and 3b,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 186, entitled

An act to regulate the sale, delivery and mortgaging of household and kitchen furniture, pianos and organs, sewing machines, typewriters, cash registers and wearing apparel, paid for in part by installments or otherwise and chattel mortgage, deed of trust or other instrument of writing executed and delivered for deferred payments upon such chattel property, and to repeal section 7090 of chapter 116 of the Revised Statutes on the same subject,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 187, entitled

An act requiring all street railway companies organized under the laws of this State to issue transfers at all intersecting points upon the payment of fare or presentation of another transfer,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 188, entitled

An act to amend chapter 12, article 6, Revised Statutes, 1899, entitled "Telegraph and telephone companies," by adding a new section thereto, to be known as section 1255a,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 189, entitled

An act to provide against the adulteration of food or drugs,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 190, entitled

An act to amend section 9454, chapter 151, article 1 of the Revised Statutes of 1899, entitled "Roads and highways,"

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries.

Senate bill No. 191, entitled

An act to provide the manner of assessment and collection of the revenue relating to sleeping car companies,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 192, entitled

An act to provide for the licensing and taxation of buffet, cafe, special, parlor, dining and hotel cars, and to regulate the sale of intoxicating liquors thereon,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 193, entitled

An act to regulate the charges for the transportation of passengers on sleeping cars and parlor cars in the State of Missouri, and classifying the same,

Was taken up, read second time, and referred to Committee on Private Corporations.

The President called Senator Haynes to the chair.

Senate bill No. 64 was taken up and laid over informally.

Senate bill No. 112, entitled

An act to create a State Board of Mediation and Arbitration for the settlement of differences between employers and employes, and to define the powers and duties of said board,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Drabelle,        | Matthews,   | Stubbs,    |
| Clarke,   | Farris,          | Morton,     | Sullivan,  |
| Clay,     | Fields,          | Ramp,       | Tandy,     |
| Collins,  | Haynes,          | Rollins,    | Thomas,    |
| Cooper,   | Heather,         | Rubey,      | Walker,    |
| Costello, | Jewell,          | Schoenlaub, | Whaley,    |
| Davisson, | Lee,             | Smith,      | Zevely—30. |
| Dowell,   | Martin (Saline), |             |            |

NAYS—Senators

Bradley, Marshall—2.

Absent with leave—Senator Orchard—1.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

AYES—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Dowell,   | Martin (Saline), | Stubbs,    |
| Bradley,  | Drabelle, | Matthews,        | Sullivan,  |
| Clarke,   | Farris,   | Morton,          | Tandy,     |
| Clay,     | Fields,   | Ramp,            | Thomas,    |
| Collins,  | Haynes,   | Rollins,         | Walker,    |
| Cooper,   | Heather,  | Rubey,           | Whaley,    |
| Costello, | Jewell,   | Schoenlaub,      | Zevely—29. |
| Davisson, |           |                  |            |

NAYS—None.

Absent with leave—Senators

Lee, Marshall, Orchard, Smith—4.

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which Senate bill No. 112, together with the emergency clause, was passed, be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 122, entitled

An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Davisson, | Lee,             | Smith,     |
| Bradley,  | Dowell,   | Marshall,        | Stubbs.    |
| Clarke,   | Drabelle, | Martin (Saline), | Sullivan,  |
| Clay,     | Farris,   | Morton,          | Tandy,     |
| Collins,  | Fields,   | Ramp,            | Thomas,    |
| Cooper,   | Haynes,   | Rubey,           | Walker,    |
| Costello, | Heather,  | Schoenlaub,      | Whaley—28. |

## NAYS—None.

## Absent with leave—Senators

|           |          |          |           |
|-----------|----------|----------|-----------|
| Jewell,   | Orchard, | Rollins, | Zevely—5. |
| Matthews, |          |          |           |

## Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Drabelle moved that the vote by which Senate bill No. 122 was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 128, entitled

An act providing for the paroling of convicts, the revocation of paroles, and the arrest and reincarceration of convicts paroled.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |                  |             |
|----------|-----------|------------------|-------------|
| Biggs,   | Drabelle, | Lee,             | Schoenlaub, |
| Clarke,  | Farris,   | Martin (Saline), | Tandy,      |
| Clay,    | Fields,   | Matthews,        | Thomas,     |
| Collins, | Haynes,   | Morton,          | Walker,     |
| Cooper,  | Jewell,   | Rubey,           | Whaley—21.  |
| Dowell,  |           |                  |             |

## NAYS—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Bradley,  | Heather,  | Ramp,  | Sullivan, |
| Costello, | Marshall, | Smith, | Zevely—9. |
| Davisson, |           |        |           |

## Absent with leave—Senators

|          |          |           |
|----------|----------|-----------|
| Orchard, | Rollins, | Stubbs—3. |
|----------|----------|-----------|

## Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Drabelle moved that the vote by which Senate bill No. 128 was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senator Zevely called up Senate bill No. 54 and moved that the bill be read the third time and placed upon its passage.

The motion prevailed.

Senate bill No. 54, entitled

An act to amend section 4622 and 4624 of chapter 63 of Revised Statutes of the State of Missouri of 1899, entitled "Wills."

Was read third time and placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Biggs,   | Davisson, | Jewell,  | Schoenlaub, |
| Clarke,  | Drabelle, | Lee,     | Smith,      |
| Clay,    | Farris,   | Morton,  | Sullivan,   |
| Collins, | Fields,   | Rollins, | Tandy,      |
| Cooper,  | Haynes,   | Rubey,   | Zevely—20.  |

## NAYS—Senators

|           |                  |           |            |
|-----------|------------------|-----------|------------|
| Bradley,  | Heather,         | Matthews, | Walker,    |
| Costello, | Marshall,        | Ramp,     | Whaley—10. |
| Dowell,   | Martin (Saline), |           |            |

## Absent with leave—Senators

|          |         |           |
|----------|---------|-----------|
| Orchard, | Stubbs, | Thomas—3. |
|----------|---------|-----------|

## Sick—Senator Martin (St. Louis)—1.

The title of the bill was read and agreed to.

Senator Zevely moved that the vote by which Senate bill No. 54 was passed be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 44 was ordered engrossed and printed.

Senate bill No. 16 was ordered engrossed and printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate joint and concurrent resolution No. 1, entitled Senate joint and concurrent resolution No. 1,

Begs leave to report that it has compared the same and finds it to be truly engrossed and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Whaley, from the Committee on Railroads and Internal Improvements, submitted the following report:

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred Senate bill No. 30, entitled

An act to regulate travel and transportation of white and colored passengers on railroads in this State,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendments one and two;

Which was read.

Amendment No. 1 to Senate bill No. 30:

Amend Senate bill No. 30 by inserting in the 15th line of the 1st section of the printed copy of said bill, the words "on their local passenger trains," between the words "passengers" and "on;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 30:

Amend Senate bill 30 by adding to the end of section 7 the following: "Nor shall the same apply to the transportation of passengers in any sleeper attached to any train;"

Read first and second times.

Roll call demanded.

The amendment-was adopted by the following vote:

#### YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Tandy.     |
| Bradley,  | Farris,   | Ramp,       | Thomas,    |
| Clay,     | Fields,   | Rubey.      | Walker,    |
| Cooper,   | Haynes,   | Schoenlaub, | Whaley,    |
| Costello, | Heather,  | Stubbs,     | Zevely—22. |
| Dowell,   | Marshall, |             |            |

#### NAYS—Senators

|          |                  |           |             |
|----------|------------------|-----------|-------------|
| Clarke,  | Lee,             | Matthews, | Smith.      |
| Collins, | Martin (Saline), | Rollins,  | Sullivan—9. |
| Davison, |                  |           |             |

#### Absent with leave—Senators

|         |            |
|---------|------------|
| Jewell, | Orchard—2. |
|---------|------------|

Sick—Senator Martin (St. Louis)—1.

Senator Whaley, from the Committee on Railroads and Internal Improvements, submitted the following reports:

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred Senate bill No. 47, entitled

An act requiring corporations owning and operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way on any tract or tracts of land for such railroads or in consideration of donations to the corporations building or constructing such railroads,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, February 6, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the Board of Managers of State Hospital for Insane No. 3, located at Nevada, to hold for a term of four years from February 1, 1901: H. C. Moore, Nevada; Peyton A. Parks, Clinton.

Respectfully,

A. M. DOCKERY,  
Governor.

Which was read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Morton moved to suspend the rules and take up joint and concurrent resolution No. 1.

The motion prevailed.

Senator Morton moved that Senate joint and concurrent resolution No. 1 be read third time and placed upon its passage.

The motion prevailed.

Senate joint and concurrent resolution No. 1 was read third time.

On motion of Senator Davisson, the Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The hour of recess having expired the President called the Senate to order.

Consideration of Senate joint and concurrent resolution No. 1 still pending.

The Senate joint and concurrent resolution No. 1 was placed upon its passage, and passed by the following vote:

### YEAS—Senators

Clarke,  
Cooper,  
Costello,  
Davisson,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Marshall,

Matthews,  
Morton,  
Ramp,  
Rollins,  
Schoenlaub,

Smith,  
Stubbs,  
Tandy,  
Walker,  
Whaley—22.

### NAYS—Senators

Biggs,  
Bradley,  
Clay,

Lee,  
Martin (Saline),

Rubey,  
Sullivan,

Thomas,  
Zevely—9.

Absent with leave—Senators

Collins, Orchard—2.

Sick—Senator Martin (St. Louis)—1.

The title to Senate joint and concurrent resolution No. 1 was amended to read as follows:

Senate joint and concurrent resolution No. 1,

Submitting to the qualified voters of the State an amendment to the Constitution repealing sections 22 and 23 of article 10.

The title to joint and concurrent resolution, as amended, was read and agreed to.

Senator Farris moved that the vote by which Senate joint and concurrent resolution No. 1 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle introduced Senate bill No. 227, entitled

An act to provide for the donation by the State of Missouri to certain public libraries of full sets of the reports of the Supreme and Appellate courts, for the donation of such reports hereafter printed, and to provide for an appropriation to purchase certain volumes of such reports not now on hand;

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 228, entitled

An act to amend section 5937 of article 5, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Cities of the fourth class;"

Read first time and 150 copies ordered printed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 153, entitled

An act to amend article eight of chapter 102 of the Revised Statutes of 1899, entitled "Registrations and elections in cities with 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Biggs, from the Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs, submitted the following report:

Mr. President: Your Committee on Retrenchment and Reform, to which was referred Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of Missouri of 1899, entitled "Fees,"

Begs leave to report that it has examined the same and recommends that the accompanying substitute do pass;

Which was read.

The committee substitute for Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of Missouri of 1899, entitled "Fees;"

Read first and second times and adopted.

Senator Ramp moved that the rules be suspended and that Senate take up substitute for Senate bill No. 102.

The motion prevailed.

On motion of Senator Ramp, committee substitute for Senate bill No. 102 was ordered engrossed and printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Jewell (by request) introduced Senate bill No. 229, entitled

An act to provide against the use of poisonous or other deleterious ingredients in the manufacture of food products, and to repeal section 2279 of the Revised Statutes of 1899;

Read first time and 150 copies ordered printed.

The Secretary read a communication that had been received by the Secretary of State, informing the Senate that the British Embassy at Washington, D. C., had acknowledged receipt of resolution adopted by the Senate, expressing sympathy to the British people in the loss of their Queen, and that the same had been forwarded to the proper address.

Senate bill No. 194, entitled

An act to repeal section 9874 of article 2, chapter 154 of the Revised Statutes of 1899, entitled "City, town and village schools," and to enact a new section in lieu thereof, with an emergency clause,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 195, entitled

An act to provide for an annual accounting to policy-holders in mutual life insurance companies, and to regulate the distribution of profits or surplus,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 196, entitled

An act to amend section 9828 of chapter 154 of Revised Statutes of 1899, entitled "Schools."

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 197, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenues," and providing for the taxation of mortgages and deeds of trust,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 198, entitled

An act to amend section 9121 of article 1 of chapter 149 of the Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenue."

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 199, entitled

An act to amend section 9151 of article 2 of chapter 149 of the Revised Statutes of 1899, entitled "Assessors and the assessment of property,"

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 200, entitled

An act to amend chapter 148, Revised Statutes of 1899, entitled "Recorders of deeds," by providing that the recorder of deeds shall annually make out and certify to the assessor of that county a list of all unsatisfied mortgages and deeds of trust, by adding a new section, to be known as section 9096a,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 201, entitled

A act requiring the State Auditor to prescribe forms of all blanks and books used by the officers of the revenue service, and the rules for settlements with the treasury department for moneys collected for the State, and providing for the employment of accountants, and fixing their compensation,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 202, entitled

An act to repeal section 10427 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 203, entitled

An act to repeal section 10429 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury department," and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of three hundred thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 205, entitled

An act to amend section 5157, article 1, chapter 83, Revised Statutes, 1899, entitled "Bonds, municipal," etc., article 1,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 206, entitled

An act to amend sections 995 and 997 of article 1, chapter 12 of the Revised Statutes of Missouri of 1899, relating to the service of summons in actions against corporations, and where the same may be instituted and prosecuted,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 207, entitled

An act to punish the crime of stealing or maliciously removing journal bearings, fixtures or attachments from locomotives, tenders, freight or passenger cars,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 208, entitled

An act to repeal sections 7000 and 7046 of chapter 102, article one, of the Revised Statutes of the State of Missouri of 1899, relating to general elections, and to enact new sections in place thereof, and also to add a new section to said chapter 102, article one, of said Revised Statutes, to be known as section 7031a,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 209, entitled

An act entitled an act to amend section 973, article 1, chapter 12, Revised Statutes of Missouri of 1899, entitled "Corporations—private,"

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 210, entitled

An act to amend section 1719 of article 3, chapter 14, Revised Statutes, 1899, entitled "Courts of record,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 211, entitled

An act authorizing the appointment of quartermaster-sergeants of the National Guard of Missouri,

Was taken up, read second time, and referred to Committee on Militia.

Senate bill No. 212, entitled

An act to provide for the donation by the State to certain public libraries of copies of the Supreme and Appellate courts, with an appropriation of money therefor,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 213, entitled

An act to re-enact section 2303 and section 2304 of the Revised Statutes of Missouri, 1899, entitled "Destruction of certain birds prohibited,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Re-

vised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty,"

Was taken up, read second time, and referred to Committee on Privileges and Elections.

House bill No. 8, entitled

An act to amend section 9767, chapter 154, entitled "Schools," of the Revised Statutes of the State of Missouri, 1899, by adding at the close of such section, the following words: "Unless a suitable building is procured within twenty days in which to continue the school to the end of the term,"

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

House bill No. 24, entitled

An act to amend section 2759 of article 12, relating to proceedings before justices in misdemeanors, of chapter 16, entitled "Practice and proceedings in criminal cases of the Revised Statutes of Missouri of 1899,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 35, entitled

An act to amend section four thousand one hundred and thirty-two (4132), chapter 44 of the Revised Statutes of 1899, relating to landlords and tenants,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

House bill No. 63, entitled

An act to amend section 4987 of the Revised Statutes of 1899, relating to county counselors, with an emergency clause,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 79, entitled

An act to amend article 1, chapter 42, Revised Statutes of Missouri, 1899, entitled "Juries, grand and petit," by adding a new section thereto, to be known as section 3782a, and relating to the number of jurors necessary to concur in order to render a verdict,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 119, entitled

An act to amend section 1727 of article 3, of chapter 14, of the Revised Statutes of 1899, of Missouri, entitled "Courts of record,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 125, entitled

An act to amend section 13 of the act creating the criminal court of Jackson county, relating to changes of venue in said court,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 139, entitled

An act to amend section 1526 of chapter 12, article 18 of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private,"

Was taken up, read second time, and referred to Committee on Private Corporations.

Senator Morton (by request) introduced Senate bill No. 230, entitled

An act creating a free public library commission, defining its powers and duties and providing for a system of circulating libraries; Read first time and 150 copies ordered printed.

On motion of Senator Clay, the Senate went into executive session.

The regular session was resumed.

On motion of Senator Walker, the Senate adjourned until 10 a. m. tomorrow.

## TWENTY-SEVENTH DAY—Thursday, February 7, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Morton offered the following resolution:

Resolved, That the Board of Railroad Commissioners transmit at once to the Senate answers to the following questions:

1st. How many employes in the State Grain Inspection department?

2nd. Their names, salaries, duties and residences.

3rd. How many relatives, if any, to what commissioner related, their relationship, their duties, salaries and residence, employed in said grain department?

Which was read and laid over informally.

The following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced and passed by the House,

House bill No. 121, entitled

An act to amend section 2194 of the Revised Statutes of 1899, by inserting certain words concerning gaming;

Also, House bill No. 40, entitled

An act to amend section 111 of article II of chapter 12 of the Revised Statutes of Missouri, 1899, entitled "Railroad companies;"

Also, House bill No. 182, entitled

An act to amend section one thousand seven hundred and twenty (1720), article three (3), chapter fourteen, of the Revised Statutes of Missouri, 1899, entitled "Circuit courts;"

Also, House bill No. 10, entitled

An act to amend section 1817, chapter 15, article 2 of the Revised Statutes of the State of Missouri, relating to offenses against the lives and persons of individuals,

Also, committee substitute for House bill No. 4, entitled  
An act to amend sections 5064 and 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899,

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Smith (by request) introduced Senate bill No. 231, entitled  
An act to amend section 947, chapter 12, article 1, "Corporations, private;"

Read first time and 150 copies ordered printed.

A message from the Governor, through his Private Secretary, Mr. Crenshaw.

[For message, see Appendix.]

Senator Lee introduced Senate bill No. 232, entitled

An act relating to the propagation and preservation of game, animals, birds and fish;

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 233, entitled

An act to amend section 3787 of article 2, chapter 42, of the Revised Statutes of the State of Missouri, 1899, entitled "Juries;"

Read first time and 150 copies ordered printed.

Senator Morton introduced Senate bill No. 234, entitled

An act to require telegraph companies to pay taxes upon their gross earnings;

Read first time and 150 copies ordered printed.

Senator Tandy introduced Senate bill No. 235, entitled

An act to amend sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes, 1899;

Read first time and 150 copies ordered printed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 166, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for the registration of voters in cities having one hundred thousand or more inhabitants, by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty,"

Begs leave to report that it has examined the same and recommends, at the request of the author of the bill, that it be indefinitely postponed;

Which was read.

On motion of Senator Bradley, Senate bill No. 166 was indefinitely postponed.

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the following report:

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes by adding a new section thereto, to be known as sections 6555a and 6555b,

Begs leave to report that it has examined the same and recommends that it do pass with the substitute amendment thereto attached:

Which was read.

Substitute for Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes of 1899 by adding a new section thereto, to be known as sections 6555a and 6555b;

Read first and second times and agreed to.

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the following reports:

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred Senate bill No. 5, entitled

An act to amend chapter 91, article 23, section 6554 of the Revised Statutes of 1899, entitled "Jurors, how drawn,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred Senate bill No. 76, entitled

An act to amend section 4149, chapter 44 of the Revised Statutes of Missouri, 1899, in relation to change of venue in landlord and tenant cases,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Walker moved that Senate bill No. 76 be indefinitely postponed.

The motion prevailed.

The President called Senator Davisson to the chair.

Senate bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof,

Was read third time and placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Cooper,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,

Marshall,  
Martin (Saline),  
Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubey,

Schoenlaub,  
Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—32.

NAYS—None.

Absent with leave—Senator Zevely—1.

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 16 was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 109, entitled

An act to create the office of pardon attorney; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation,

Was read third time and placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |                  |             |
|-----------|-----------|------------------|-------------|
| Biggs,    | Dowell,   | Marshall,        | Schoenlaub, |
| Bradley,  | Drabelle, | Martin (Saline), | Smith,      |
| Clarke,   | Farris,   | Matthews,        | Stubbs,     |
| Clay,     | Fields,   | Morton,          | Tandy,      |
| Collins,  | Haynes,   | Orchard,         | Thomas,     |
| Cooper,   | Heather,  | Ramp,            | Walker,     |
| Costello, | Jewell,   | Rollins,         | Whaley—31.  |
| Davison,  | Lee,      | Rubey,           |             |

NAY—Senator Sullivan—1.

Absent with leave—Senator Zevely—1.

Sick—Senator Martin (St. Louis)—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |                  |             |
|-----------|-----------|------------------|-------------|
| Biggs,    | Dowell,   | Marshall,        | Schoenlaub, |
| Bradley,  | Drabelle, | Martin (Saline), | Smith,      |
| Clarke,   | Farris,   | Matthews,        | Stubbs,     |
| Clay,     | Fields,   | Morton,          | Sullivan,   |
| Collins,  | Haynes,   | Orchard,         | Tandy,      |
| Cooper,   | Heather,  | Ramp,            | Thomas,     |
| Costello, | Jewell,   | Rollins,         | Walker,     |
| Davison,  | Lee,      | Rubey,           | Whaley—31.  |

NAY—Senator Sullivan—1.

Absent with leave—Senator Zevely—1.

Sick—Senator Martin (St. Louis)—1.

The title to the bill was read and agreed to.

Senator Morton moved to reconsider the vote by which Senate bill No. 109 was passed, together with the emergency clause.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 64, entitled

An act amending article 5 of chapter 91 of the Revised Statutes of 1899, relating to cities of the fourth class, by adding three new sections to said article, to be known as sections 6003a, 6003b and 6003c,

Was read third time and placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |                  |             |            |
|-----------|------------------|-------------|------------|
| Biggs,    | Dowell,          | Matthews,   | Stubbs,    |
| Bradley,  | Drabelle,        | Morton,     | Sullivan,  |
| Clarke,   | Farris,          | Orchard,    | Tandy,     |
| Clay,     | Fields,          | Rollins,    | Thomas,    |
| Collins,  | Haynes,          | Rubey,      | Walker,    |
| Cooper,   | Lee,             | Schoenlaub, | Whaley—28. |
| Costello, | Martin (Saline), | Smith,      |            |

## NAYS—Senators

Ramp, Zevely—2.

Absent with leave—Senators

Davison, Heather, Marshall—3.

Sick—Senator Martin (St. Louis)—1.

The title was read and agreed to.

Senator Tandy moved that the vote by which Senate bill No. 64 was passed be reconsidered.

Senator Whaley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 7 was taken up and laid over informally.

Senator Walker moved that Senate bill No. 30 be taken up and ordered engrossed and printed.

Roll call demanded.

Senate bill No. 30 was ordered engrossed and printed by the following vote:

## YEAS—Senators

|           |           |                  |            |
|-----------|-----------|------------------|------------|
| Biggs,    | Drabelle, | Marshall,        | Stubbs,    |
| Bradley,  | Farris,   | Martin (Saline), | Tandy,     |
| Clay,     | Fields,   | Morton,          | Walker,    |
| Cooper,   | Jewell,   | Orchard,         | Whaley—19. |
| Costello, | Lee,      | Rubey,           |            |

## NAYS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Clarke,  | Dowell,   | Ramp,       | Smith,     |
| Collins, | Haynes,   | Rollins,    | Sullivan,  |
| Davison, | Matthews, | Schoenlaub, | Thomas—12. |

## Absent with leave—Senators

|          |           |
|----------|-----------|
| Heather, | Zevely—2. |
|----------|-----------|

Sick—Senator Martin (St. Louis)—1.

Senate bill No. 47 was taken up and ordered engrossed and printed.

Senate bill No. 86 was taken up and ordered engrossed and printed.

Senator Orchard called up Senate bill No. 7 and offered the following amendment:

Amendment No. 1 to Senate bill No. 7:

Amend Senate bill No. 7 by adding a new section, to be known as section 2:

Section 2. There being no appeal allowed from county boards of equalization and said boards will meet in April creates an emergency within the meaning of the Constitution, therefore, this act shall go into effect from and after its passage;

Which was read first and second times and agreed to.

Senate bill No. 7, as amended, was ordered engrossed and printed.

Senate bill No. 115 was taken up and laid over informally.

Senate bill No. 123 was taken up and laid over informally.

Senate bill No. 133 was ordered engrossed and printed.

Senate bills Nos. 136, 137, 138 and 139 were taken up.

Senator Costello moved that all four bills be indefinitely postponed.

The motion prevailed.

Senate bill No. 140 was ordered engrossed and printed.

Committee substitute for Senate bill No. 144 was ordered engrossed and printed.

Senate bill No. 147 was ordered engrossed and printed.

Senate bill No. 153 was ordered engrossed and printed.

Senate bill No. 162 was ordered engrossed and printed.

Senate bill No. 163 was ordered engrossed and printed.

Senate bill No. 171 was ordered engrossed and printed.

The following communication was received from the Governor, through his Private Secretary:

To the Senate:

The permanent school and seminary funds of the State are invested in school fund certificates issued under various acts of the General Assembly. They are a part of the public debt of the State and amounted to \$4,393,839.42 on the first day of the present year. These certificates bear interest at the rates of five and six per cent., involving an annual interest charge of \$250,001.97, of which \$186,990.00 is distributed for the purpose of educating our children in the public schools and \$63,011.97 to maintain the State University.

Under the wise and economic policy of the State during the last three decades the bonded debt of the State has been steadily reduced, and will be entirely extinguished within a short period of time.

After the retirement of the outstanding bonds, the only remaining debt of the State will be the school fund certificates. This being a debt due to the public schools, it is not desirable to extinguish it, because at the present rates of interest it brings to the treasury a handsome income to maintain our splendid educational system.

The Constitution provides that the school fund shall be invested either in bonds of the State of Missouri or of the United States, and it further requires that at least \$250,000.00 of the public debt shall be retired annually.

With the rapidly approaching liquidation of the bonds of the State, the constitutional provision requiring the reduction of the public debt by at least \$250,000.00 yearly, will of necessity apply to the school fund certificates. The conclusion therefore is inevitable, that the only remaining opportunity for the investment of the certificates thus retired will be in bonds of the United States, unless some provision is made by the people to perpetuate the certificates, which, by the terms of the act authorizing their issue, are declared to be "sacred and irrevocable obligations of the State, unconvertible and untransferable from the purpose of their issue."

The issue confronting us is clear and distinct. It rises above any question of mere party advantage or disadvantage. It should be met in that broad public spirit which actuated and guided those faithful representatives of the people who, irrespective of party, established the policy which for thirty years has materially contributed to the growth and development of this sacred fund.

The school fund as now invested yields more than a quarter of a million dollars annually for educational purposes. Shall this system be continued, or should the State pay off the certificates and invest the proceeds in bonds of the United States which will yield an average income of perhaps not more than two per cent.? Is an investment in bonds of the United States which will thus materially reduce the annual income for the schools a sound business policy? Do the securities of the United States offer a more certain guarantee of safety than the securities of this resourceful State?

I unhesitatingly express the conviction that the present investment is safe, business-like and should be perpetuated by a constitutional amendment, to be submitted at the next general election.

The existing system of issuing school fund certificates has the sanction of such illustrious chief executives as Brown, Woodson, Hardin, Phelps, Crittenden and all of their successors. It has been approved by the General Assembly under the control of all political parties.

It originated in the Senate by the passage of Senate bill No. 364, March 22, 1872. The bill was introduced by Senator Morse, a distinguished Missourian, and passed by a vote of 28 yeas to only 1 nay. It was sustained at the time by such eminent Senators as Birch, Blodgett, Brockmeyer, Gottschalk, Headlee, Morrison, Vandivert and by the Father of our State University, the gifted and lamented Rollins. The bill passed the House on March 28, 1872, by a vote of 75 yeas to 18 nays. It was heartily supported in that body by such Missourians as Bittinger, Kost, Moore, O'Bannon and others.

The policy was again approved in 1881 by the enactment into law of Senate bill No. 84, every Senator present voting for the bill, and every member of the House voting on the proposition except two, sustaining it upon a call of the roll.

Again, in 1895, the policy of issuing school fund certificates was approved by the enactment of House bill No. 528, under the leadership of Hon. John L. Bittinger, Hon. B. F. Russell at the time being Speaker of the House. I note with much pleasure that among those supporting the bill were Bittinger, Gurney, Harrison, Pettijohn, Tatum, Tubbs and others equally earnest in support of our public school system. The vote in the Senate on March 22, 1895, also emphasized the hearty and cordial approval of the people of Missouri—every Senator who voted recording himself for the bill. Among the Senators then advocating the issue of school fund certificates were Brewster, Busche, Davisson, Kennish, Mott, O'Bannon, Wurdeman and others of equal distinction in our legislative annals.

Under the requirements of the Constitution, as I see it, the path of duty is plain. This sacred fund, the interest of which goes to the maintenance of our educational system, should continue to be dedicated to the cause of education.

This policy should be irrevocably imbedded in our Constitution by a unanimous vote of the people, so that for all coming time the interest upon this endowment fund, which in amount surpasses that of any other State of the Union, shall be set apart for the education of our children.

A. M. DOCKERY,

Executive office, City of Jefferson, February 7, 1901.

Which was read and referred to the Committee on Constitutional Amendments.

The following message was received from the Governor, through his Private Secretary:

Executive Department, State of Missouri, )  
Jefferson City, February 7, 1901. )

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the Board of Managers of the State Hospital for Insane No. 1, located at Fulton, to hold for a term of four years from February 1, 1901: J. W. Smith, Pleasant Hill; W. S. McClintic, Monroe City; W. E. Jameson, Fulton.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read, and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Heather offered the following resolution:

Resolved, That 2,000 copies of the Governor's special message just read be printed for the use of the Senate.

Which was read and adopted.

The following communications were received from the Governor, through his Private Secretary:

Executive Department, State of Missouri, )  
Jefferson City, February 7, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the Board of Managers of the State Reform School for Boys, located at Boonville, to hold for a term of four years from February 1, 1901: J. L. Zollinger, Boonville; John A. Hannay, Versailles; Walter C. Overstreet, Sedalia.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to the Committee on Penitentiary and Reform Schools.

Executive Department, State of Missouri, )  
Jefferson City, February 7, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) J. F. Henderson of Fulton a member of the board of Managers of the Missouri School for the Deaf, located at Fulton, to hold for a term of four years from February 1, 1901.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Ruby introduced Senate joint and concurrent resolution No. 5, entitled

An act submitting to the qualified voters of Missouri an amendment to the Constitution thereof, to define the status of the State certificates of indebtedness now on deposit in the State Treasury and held in trust, etc.;

Read first time and 150 copies ordered printed.

Senator Orchard called up Senate bill No. 107 and offered the following amendment:

Amendment No. 1 to Senate bill No. 107:

Amend Senate bill No. 107 as follows: by adding after the word "monthly," in the 2nd line of said section 5 of said bill, the following words: "Out of the State Treasury;"

Read first and second times and agreed to.

Senate bill No. 107, as amended, was ordered engrossed and printed.

Senator Morton called up resolution relating to Railroad Commissioners' office and moved its adoption.

Senator Ruby offered the following substitute for resolution offered by Senator Morton:

Resolved, That each State officer, the Labor Commissioner and the warden of the penitentiary be requested to transmit at once to the Senate the following information:

First—How many employees in employ of each.

Second—Their names, salaries, duties, and residence.

Third—How many relatives, if any, to what officer related, their relationship, their duties, salaries, and residence;

Resolved, further, That the Board of Railway Commissioners be requested to transmit the above information as far as it relates to the Grain Inspection Department at once and without delay;

Which was read.

Senator Haynes made a point of order that the substitute was out of order for the reason that the substitute was not germane to the original resolution.

The Chair declared the point of order not well taken.

The question recurring on the adoption of the substitute,

Roll call demanded.

The substitute was lost by the following vote:

## YEAS—Senators—1

|         |           |                  |            |
|---------|-----------|------------------|------------|
| Biggs,  | Cooper,   | Martin (Saline), | Sullivan,  |
| Clarke, | Davisson, | Morton,          | Walker,    |
| Clay,   | Lee,      | Rubey,           | Zevely—12. |

## NAYS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Fields,   | Matthews,   | Smith,     |
| Collins,  | Haynes,   | Orchard,    | Stubbs,    |
| Costello, | Heather,  | Ramp,       | Tandy,     |
| Dowell,   | Jewell,   | Rollins,    | Thomas,    |
| Drabelle, | Marshall, | Schoenlaub, | Whaley—21. |
| Farris,   |           |             |            |

Sick—Senator Martin (St. Louis)—1.

The question recurring on the resolution,  
Roll call was demanded.

The resolution was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Davisson, | Marshall,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews,   | Sullivan,  |
| Clarke,   | Farris,   | Morton,     | Tandy,     |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Collins,  | Heather,  | Rollins,    | Walker,    |
| Cooper,   | Jewell,   | Schoenlaub, | Whaley,    |
| Costello, | Lee,      | Smith,      | Zevely—28. |

## NAYS—Senators

|         |                  |          |          |
|---------|------------------|----------|----------|
| Dowell, | Martin (Saline), | Orchard, | Rubey—5. |
| Fields, |                  |          |          |

Sick—Senator Martin (St. Louis)—1.

On motion of Senator Farris, the Senate adjourned until 10 a. m. tomorrow.

## TWENTY-EIGHTH DAY—Friday, February 8, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Secretary of the Senate received a communication from the Workingmen's Bryan club of St. Louis asking that if there be any change in the manner of election of members of the St. Louis Board of Public Schools that a law be enacted adopting the system of proportional representation;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Tandy introduced Senate bill No. 236, entitled

An act to repeal sections 4750, 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections;

Read first time and 150 copies ordered printed.

Senator Tandy (by request) introduced Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities;

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 238 entitled

An act to amend article 2 of chapter 149 of the Revised Statutes, 1899, entitled "The assessment and collection of revenue," by adding a new section thereto, to be known as section 9188a, providing for the publication of the personal assessment list and the manner thereof in all counties in this State except in cities having or which may hereafter have 300,000 inhabitants;

Read first time and 150 copies ordered printed.

Senator Schoenlaub introduced Senate bill No. 239, entitled

An act to repeal article 2, entitled "Excise Commissioners," of chapter 22 of the Revised Statutes of 1899, the same being sections 3019, 3021, 3022, 3023, 3024, 3025 and 3026;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 240, entitled

An act to repeal sections 2834 and 2835, article XV, chapter 16 of the Revised Statutes of Missouri of 1899, and to enact two new sections in lieu thereof, to be known as sections 2834 and 2835, relative to costs in criminal cases;

Read first time and 150 copies ordered printed.

Senator Walker presents a remonstrance from the members of St. Peter's church at St. Charles, Missouri, protesting against the passage of a compulsory education law;

Read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submits the following reports:

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 70, entitled

An act to amend article six of chapter 118 of Revised Statutes of 1899, entitled "Industrial Home for Girls,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Eleemosynary Institutions and Public Health to which was referred Senate bill No. 189 entitled

An act to provide against the adulteration of food or drugs,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following reports:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants, by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 172, entitled

An act to amend sections 7273, 7229 and 7242, and to repeal sections 7224 and 7226 of article 8, chapter 102 of the Revised Statutes

of Missouri of 1899, entitled "Registration and elections in cities with 300,000 inhabitants or over," and to enact a new section in lieu of said section 7224, to be known as section 7224,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 117, entitled

An act prohibiting the purchase and sale of stolen property;

Also, Senate bill No. 122, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property;"

Also, Senate bill No. 151, entitled

An act respecting the identification of criminals;

Also, Senate bill No. 33, entitled

An act to provide for the punishment of any one guilty of kidnapping or carrying away any child or other person;

Also, Senate bill No. 36, entitled

An act to amend article 6, chapter 16, of the Revised Statutes of the State of Missouri, 1899, entitled "Proceedings before trial—change of venue, when granted," by repealing sections 2595, 2596 and 2597, and enacting three new sections in lieu thereof, to be numbered as section 2595, 2596 and 2597, respectively,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Martin (of Saline), from the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 1, entitled

An act to provide for taxing franchises,

Senate bill No. 6, entitled

An act to authorize the imposition of a franchise tax on corporations doing business in Missouri,

Senate bill No. 59, entitled

An act to provide for the taxing of franchises, and requiring the State Board of Equalization to value, assess and apportion the same, and providing penalties for violating this act,

Senate bill No. 105, entitled

An act to tax corporate franchises and for the payment of the same into the State treasury,

And Senate bill No. 114, entitled

An act to define and to tax the franchises of corporations doing business in this State, except such as are for religious, educational or charitable purposes, requiring the State Board of Equalization to value the same, and providing penalties,

Begs leave to report that it has examined the same, and returns herewith the accompanying committee substitute for the several named bills, and recommends that it do pass;

Which was read.

On motion of Senator Martin (of Saline), 300 copies of committee substitute to Senate bills Nos. 1, 6, 59, 105 and 114, was ordered printed, and that the printing be given precedence.

Senator Haynes, from the Committee on Judiciary, submits the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 67, entitled

An act authorizing assessors of certain counties,

Begs leave to report that it has examined the same and recommends that it do pass, with amendment No. 1:

Which was read.

Amendment No. 1 to Senate bill No. 67:

Amend Senate bill No. 67, section 1, in line two, by striking out the words "constructing or altering;" also, by striking out in section 2, in line three, the words "or altering;"

Read first and second times and agreed to.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 11, entitled

An act establishing an advisory board of paroles and pardons, defining the duties thereof, and providing for paroling, commuting the sentence and pardoning of convicts,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 77, entitled

An act to repeal sections 727 and 728 of chapter 8, article 7 of Revised Statutes of Missouri for 1899, and relating to bills of exceptions in civil suits, and to enact in lieu thereof three new sections, to be known as sections 727, 728 and 728a, and to repeal section 813 of chapter 8 of article 10 of Revised Statutes of Missouri, relating to duties of parties in appeals, and to enact a new section in lieu thereof, to be known as section 813,

Begs leave to report that it has examined the same and recommends that it do pass, with accompanying amendments Nos. 1, 2 and 3:

Amendment No. 1 to Senate bill No. 77:

Amend Senate bill No. 77 by striking out the words "ten days" in the 2d line of section 3, and inserting in lieu thereof the words "thirty days, or such further time as the court may allow;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 77:

Amend Senate bill No. 77 by striking out the words "ten days thereafter," in the 16th line of section 3 of said bill, and inserting in lieu thereof the words "thirty days, or such further time as the court may allow;"

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 77:

Amend Senate bill No. 77 by inserting after the word "exceptions," in the 20th line of section 3 of said bill the words "within thirty days after such objections, if any, are filed;"

Read first and second times and agreed to.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 129, entitled

An act authorizing the Supreme Court of the State of Missouri to transfer from the law library of the State at Jefferson City, to the law library of the State University at Columbia such treatises, text-books, and digests of law as may not be required for further use in the law library of the State,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

On motion of Senator Rubey, Senate bill No. 129 was indefinitely postponed.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 78, entitled

An act authorizing the erection of a new Supreme Court building, creating a commission to have charge of such erection, and making an appropriation to carry the act into effect,

Begs leave to report that it has examined the same and recommends that it do pass, with accompanying amendments Nos. 1, 2 and 3:

Amendment No. 1 to Senate bill No. 78:

Amend Senate bill No. 78, by inserting in line three of printed bill, between the words "treasurer" and "one," the words "Attorney General of the State;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 78:

Amend Senate bill No. 78 by striking out the words "selected by the Senate" in the 5th line and inserting in lieu thereof the words "appointed by the Governor;"

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 78:

Amend Senate bill No. 78 by striking out of line six of printed bill, the words "selected by the House of Representatives of the Forty-first General Assembly," and insert in lieu thereof the words "appointed by the Governor;"

Read first and second times and agreed to.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 206, entitled

An act to amend sections 995 and 997 of article 1, chapter 12 of the Revised Statutes of Missouri, of 1899, relating to the service of summons in actions against corporations and where the same may be instituted and prosecuted,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 31, entitled

An act to establish board of pardons,  
Begs leave to report that it has examined the same and recommends that it do not pass;  
Which were read.

On motion of Senator Whaley, Senate bill No. 31 was indefinitely postponed.

Senator Drabelle called up Senate bill No. 11, and moved that it be indefinitely postponed.

The motion prevailed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 184, entitled

An act to regulate the running of street cars across boulevards, and to provide a penalty for the violation of the provisions of the act,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of three hundred thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof,

Begs leave to report that it has examined the same and recommends that it do pass, with accompanying amendments Nos. 1 and 2:

Amendment No. 1 to Senate bill No. 204:

Amend Senate bill No. 204, section 1, by striking out the words "three hundred thousand," in lines three and four of said section, and inserting in lieu thereof the words "one hundred and fifty thousand;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 204:

Amend title to Senate bill No. 204 by striking out the words "three hundred thousand," where the same appears in said title, and inserting in lieu thereof the words "one hundred and fifty thousand;"

Read first and second times and agreed to.

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict herewith,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, to which was referred Senate bill No. 157, entitled

An act entitled "An act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State Seminary Moneys,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The following communication was received from the House of representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 64, entitled

An act to amend article 2, chapter 14 of the Revised Statutes of Missouri, 1899, by adding a new section, to be numbered 1649a, relating to the jurisdiction of the courts of appeals, with an emergency clause,

In which the concurrence of the Senate is respectfully requested.  
Which was read.

Senator Thomas introduced Senate bill No. 241, entitled

An act to require all corporations, companies and associations engaged in gathering and furnishing news for newspaper publications publishers and other publications to furnish to all newspapers and publications on equal terms;

Read first time and 150 copies ordered printed.

Senator Zevely introduced Senate bill No. 242, entitled

An act requiring all insurance companies to indorse on or attach to policies issued by them copies of the application and of the medical examination on which said policies are issued and prescribing a penalty for omission to do so;

Read first time and 150 copies ordered printed.

Sentor Orchard, from the Committee on Criminal Jurisprudence, submits the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 164, entitled

An act to amend section 2693, article 10, chapter 16 of the Revised Statutes of 1899, relating to appeals in criminal cases,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Sullivan moved to suspend the rules and take up Senate bill No. 164.

The motion prevailed.

Senate bill No. 164 was taken up.

Senator Sullivan offered the following amendment:

Amendment No. 1 to Senate bill No. 164:

Amend Senate bill No. 164 by adding thereto the following:

Whereas, under the present Statutes of Missouri no provision for an appeal from a conviction under an information is made; and,

Whereas, there are various courts in session trying causes on information, wherefore there exists an emergency within the meaning of the Constitution, therefore this act shall be in force from and after its passage.

Read first and second times and agreed to.

Senate bill No. 164, as amended, was ordered engrossed and printed.

Senator Heather presents petitions from citizens of the State,

praying for the passage of a bill compelling children between the ages of 6 and 14 years to attend school a part of each year;

Which was read and referred to Committee on Education, Text-Books and Public Schools.

Senator Rubey introduced Senate bill No. 243, entitled

An act to amend section 4358 of chapter 52, Revised Statutes of 1899, entitled "Mortgages and deeds of trust;"

Read first time and 150 ordered printed.

Senate bill No. 215, entitled

An act to amend section 7945, article VI, chapter 119 of the Revised Statutes of Missouri, 1899, entitled "Insurance other than life."

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

Senate bill No. 216, entitled

An act to provide for recording mortgages or deeds of trust, given by railway corporations,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 217, entitled

An act to repeal section 9800 of article 1, chapter 154 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 218, entitled

An act to amend sections 7090 and 7091 of chapter 102 of article 2 of the Revised Statutes of the State of Missouri of 1899, entitled "Elections," by providing for the designation of the newspapers in which the official ballot shall be published and the price that shall be allowed for the same, and making the State of Missouri responsible for one-half of the cost of the publication,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

The President announced the reception from the House of Representatives, House enrolled bill No. 226, entitled

An act to appropriate money for the payment of the interest on the bonded indebtedness of the State and the certificates of indebtedness issued and held in trust for the State school and seminary funds during the years 1901 and 1902;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

The President announced the reception from the House of Representatives, House enrolled bill No. 228, entitled

An act to appropriate money for the support of the public schools of the State;

That the same had passed both branches of the General Assem-

bly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

The President announced the reception from the House of Representatives, House enrolled bill No. 229, entitled

An act to appropriate money for the cost of assessing and collecting the revenue for the years 1901 and 1902, including contingent expenses of the State Board of Equalization;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Committee substitute for House bill No. 4, entitled

An act to amend sections 5064 and 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899,

Was taken up and read first time.

House bill No. 10, entitled

An act to amend section 1817, chapter 15, article 2 of the Revised Statutes of the State of Missouri, relating to offenses against the lives and persons of individuals,

Was taken up and read first time.

House bill No. 40, entitled

An act to amend section 1111 of article II of chapter 12 of the Revised Statutes of Missouri, 1899, entitled "Railroad companies,"

Was taken up and read first time.

House bill No. 121, entitled

An act to amend section 2194 of the Revised Statutes of 1899 by inserting certain words,

Was taken up and read first time.

House bill No. 182, entitled

An act to amend section one thousand seven hundred and twenty (1720), article three (3), chapter fourteen of the Revised Statutes of Missouri, 1899, entitled "Circuit courts,"

Was taken up and read first time.

House bill No. 20, entitled

An act to amend section 4369 of chapter 52 of Revised Statutes of Missouri, entitled "Mortgages and deeds of trust,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 60, entitled

An act to amend article 17 of chapter 30, Revised Statutes of Missouri, 1899, entitled "Militia," by adding a new section thereto, to be known as section 8728a, and relating to the establishment of a

post of the National Guards of Missouri at the Missouri Military Academy, Mexico, Mo.,

Was taken up, read second time, and referred to Committee on Militia.

House bill No. 61, entitled

An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled "Dower,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 78, entitled

An act to amend chapter 51, Revised Statutes of Missouri, 1899, entitled "Married women," by adding a new section thereto, to be known as section 4341a, and relating to the non-liability of husband for wife's torts,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 80, entitled

An act to amend sections 3994 and 4001 of article 7, chapter 43, Revised Statutes of Missouri, 1899, entitled "Justices' courts," and relating to appearance, pleadings, adjournments and consolidation of actions,"

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

House bill No. 109, entitled

An act to repeal section 1723 of article III, chapter 14, Revised Statutes, 1899, entitled "Courts of record," and to enact a new section in lieu thereof, to be known as section 1723,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 200, entitled

An act to amend section 1740 of article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record,"

Was taken up, read second time, and referred to Committee on Judiciary.

The President called Senator Morton to the chair.

Senator Walker called up Senate joint and concurrent resolution No. 4, and moved that it be read third time and placed upon its passage.

The motion prevailed.

Senate joint and concurrent resolution No. 4, entitled

Concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof concerning the judicial department,

Was read third time and placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |
|----------|-----------|
| Biggs,   | Davisson, |
| Bradley, | Dowell,   |
| Clarke,  | Drabelle, |
| Clay,    | Haynes,   |
| Collins, | Jewell,   |
| Cooper,  | Marshall, |

|             |
|-------------|
| Matthews,   |
| Orchard,    |
| Ramp,       |
| Rollins,    |
| Rubey,      |
| Schoenlaub, |

|            |
|------------|
| Smith.     |
| Stubbs,    |
| Tandy,     |
| Thomas,    |
| Walker,    |
| Whaley—24. |

NAYS—Senators

|          |                  |
|----------|------------------|
| Fields,  | Martin (Saline), |
| Heather, |                  |

Morton,

Sullivan—5.

Absent with leave—Senators

|           |         |
|-----------|---------|
| Costello, | Farris, |
|-----------|---------|

Lee,

Zevely—4.

Sick—Senator Martin (St. Louis)—1.

The title to the concurrent resolution was read and agreed to.

Senator Walker moved that the vote by which Senate joint and concurrent resolution No. 4 was passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

Senators Costello, Lee and Farris were granted leave of absence.

Senator Orchard moved to reconsider the vote by which Senate bill No. 107 was ordered to engrossment.

The motion prevailed.

Senate bill No. 107 was taken up.

Senator Orchard offered the following amendment:

Amendment No. 2 to Senate bill No. 107:

Amend Senate bill No. 107 as follows: By striking out the words "except in cities of two hundred thousand and upward," in lines one and two of section 1 of printed bill, and by inserting in lieu thereof the words "except in counties of one hundred thousand and upwards and cities of 300,000 and upwards, according to the last decennial census of the United States;"

Which was laid over informally.

The Secretary read the following telegram:

Cor. Roach, Secy, J. C.:

My father, Senator Thos. C. Martin died this morning.  
8:15ak

St. Louis, Mo., Feb. 8.

Funeral Sunday.  
GEO. H. MARTIN.

Senator Drabelle offered the following resolution:

Whereas, information has come to the Senate of the death of Hon. Thomas C. Martin, member of this Senate from the City of St. Louis, therefore,

Resolved, That the Senate do now adjourn till Monday 3 p. m. out of respect to his memory; and that the President appoint a committee consisting of five Senators to attend the funeral of our deceased colleague, and that the Chaplain and Sergeant-at-Arms of the Senate accompany said committee.

Which was read and adopted.

The Door-keeper was instructed to drape seat of deceased Senator Martin of St. Louis.

The Chair appointed a committee of five Senators to attend the funeral, as follows:

Senators Drabelle, Haynes, Rollins, Matthews and Clarke.

Senate adjourned until 3 p. m. Monday.

## TWENTY-NINTH DAY—Monday, February 11, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

A message from the Governor, through his Private Secretary.

[For message, see Appendix.]

Senator Walker moved that the Senate resolve itself into executive session.

The motion prevailed.

Regular session resumed.

The following communications were received from the Governor, through his Private Secretary:

Executive Department, State of Missouri, }  
Jefferson City, February 11, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) Thomas J. Martin of Keytesville a member of the Board of Managers of the State Industrial Home for Girls, located at Chillicothe, vice W. T. Dameron, resigned.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to the Committee on Penitentiary and Reform Schools.

Executive Department, State of Missouri, }  
Jefferson City, February 11, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the Board of Managers of State Hospital for Insane No. 2, located at St. Joseph, to hold for a term of four years from February 1, 1901: John C. Dawson, Grant City; L. E. Miller, Stanberry; E. M. Harber, Trenton.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
Jefferson City, February 11, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) D. T. Powell of Thayer a member of the State Board of Health of Missouri for a term ending July 2, 1902.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
Jefferson City, February 11, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the Board of Regents of Lincoln Institute, located at Jefferson City, to hold for a term of six years from January 1, 1901: A. H. Bolte, Union; P. P. Ellis, New Florence.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to Committee on Normal Schools.

Executive Department, State of Missouri, }  
Jefferson City, February 11, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) Peter B. Stratton of Sedalia a member of the Board of Managers of State Hospital for Insane No. 3, located at Nevada, vice Peyton A. Parks, resigned.

Respectfully,  
A. M. DOCKERY,  
Governor.

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Tandy introduced joint resolution,  
Petitioning Congress to bridge Cow Skin river.

[Not to be found.]

Senator Haynes introduced Senate joint and concurrent resolution No. 6, entitled

Joint and concurrent resolution to amend the Constitution by repealing section 14 of article X (ten) of the Constitution and adopting in lieu thereof a new section;

Read first time and 150 ordered printed.

Senator Clarke presents petition signed by 111 citizens requesting passage of Senate bill No. 110;

Read and referred to Committee on Criminal Jurisprudence.

Senator Davisson introduced joint resolution  
Relating to the death of General D. M. Prentiss;

[Resolution not to be found.]

Rules suspended, read and adopted.

Senator Drabell introduced Senate bill No. 244, entitled  
An act entitled "An act to prevent the stealing of domestic fowls;"  
Read first time and 150 copies ordered printed.

Senator Orchard introduced Senate bill No. 245, entitled  
An act to repeal section 3244 of chapter 27 of the Revised Statutes  
of the State of Missouri of 1899, entitled "Salaries and fees," and to  
enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Tandy introduced Senate bill No. 246, entitled  
An act granting the consent of the State of Missouri to the pur-  
chase by the United States of certain lands for the purpose of enlarg-  
ing the United States Fish Hatchery at Neosho, Mo., and ceding juris-  
diction over same;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 247, entitled  
An act to regulate the charges of telegraph companies;  
Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 248, entitled  
An act to permit the consolidation of school districts for the pur-  
pose of maintaining both primary schools and a high school, and to  
provide for the organization and government of such consolidated  
districts, with an emergency clause;

Read first time and 150 copies ordered printed.

Senator Haynes, from the Committee on Judiciary, submitted the  
following report:

Mr. President: Your Committee on Judiciary, to which was re-  
ferred House bill No. 63, entitled

An act to amend section 4987 of the Revised Statutes of 1899,  
relating to county counselors, with an emergency clause,

Begs leave to report that it has examine the same and recom-  
mends that it do pass with accompanying amendments 1 and 2;

Which was read.

Senate amendment No. 1 to House bill No. 63:

Amend section 1 of printed bill by striking out the first eight lines  
thereof, and inserting in lieu thereof the following:

Read first and second times and agreed to.

Amendment No. 2 to House bill No. 63:

Amend by inserting after the word "more," in the 10th and 12th  
lines of the printed bill, the words "according to the last decennial cen-  
sus of the United States;"

Read first and second times and agreed to.

Senator Farris, chairman of the Committee on Private Corpora-  
tions, submits the following report:

Mr. President: Your Committee on Private Corporations, to  
which was referred Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all  
public buildings in this State,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Clay, chairman of the Committee on Labor, Mines and Manufactories, submits the following report:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Tandy, chairman of the Committee on Engrossed Bills, submitted the following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 164, entitled

An act to amend section 2696, article 10, chapter 16 of the Revised Statutes of 1899, relating to appeals in criminal cases;

Also, Senate bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds, and for the levying of tax therefor, and declaring an emergency;

Also, Senate bill No. 86, entitled

An act to amend section 1255, article 6 of the Revised Statutes of 1899, entitled "Telegraph and telephone companies;"

Also, Senate bill No. 144, entitled

An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of the same;

Also, Senate bill No. 140, entitled

An act to amend section 3620 of the Revised Statutes of 1899;

Also, Senate bill No. 147, entitled

An act requiring surety companies, incorporated under the laws of other states, before doing business in this State, to make deposit with the Insurance Department to indemnify persons doing business with such company against loss;

Also, Senate bill No. 153, entitled

An act to amend article eight of chapter 102 of the Revised Statutes of 1899, entitled "Registrations and elections in cities with 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities;

Also, Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand;"

Also, Senate bill No. 163, entitled

An act to amend section 9809 of the Revised Statutes of 1899, relating to pay of county school commissioner;

Also, Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State;

Also, Senate bill No. 44, entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a;

Also, Senate bill No. 47, entitled

An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroad, or in consideration of donations to the corporation building or constructing such railroad;

Also, Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have or which may hereafter have over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses and prescribing penalties for violating the provisions of this act;

Also, Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled "Fees;"

Also, Senate bill No. 30, entitled

An act to regulate the travel or transportation of the white and colored passengers on railroads of this State;

Also, Senate bill No. 7, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899 of the State of Missouri by adding two new sections thereto, to be numbered sections 9136a and 9136b.

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senate joint and concurrent resolution No. 5, entitled

Senate joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State Treasury and held in trust for the public school fund and the seminary fund; to extend and perpetuate the same; to provide for the issuing of additional certificates; and to provide for the payment of the interest thereon,

Was taken up, read second time, and referred to Committee on Constitutional Amendments.

Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words,

Was taken up, read second time, and referred to Committee on Life Insurance.

Senate bill No. 220, entitled

An act to repeal article 7 of chapter 154 of the Revised Statutes of Missouri of 1899, entitled "School book commission,"

Was taken up, read second time, and referred to Committee on Education.

Senate bill No. 221, entitled

An act to prevent the sale by persons other than registered pharmacists of drugs or medicines containing any quantity of arsenic, cocaine, chloral, opium or any preparation thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 222, entitled

An act to amend section 2996 of article 1, chapter 22 of the Revised Statutes of 1899, relating to the license tax on dramshops,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have or that may hereafter have three hundred thousand inhabitants or more, abolishing the office of assistant circuit attorney, as it now exists, and providing for the appointment by the circuit attorney of two assistants and a stenographer, fixing the compensation of such circuit attorney, assistants and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 224, entitled

An act to provide for registration of land titles, the manner of issuing certificates therefor, the transfer and transmission of said titles; to provide for liens and levies on registered lands and on the estate and interest therein; to prescribe the proceedings to authorize said registration, the fees and penalties and provide an indemnity fund and proceedings to recover compensation for loss,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 225, entitled

An act to amend chapter 13, Revised Statutes of Missouri, 1899, entitled "Costs in civil cases," by adding a new section thereto, to be known as section 1543a and relating to cost bonds in civil cases,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 226, entitled

An act to authorize and provide for the erection of a monument at the grave of Governor Robert M. Stewart.

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 227, entitled

An act to provide for the donation by the State of Missouri to certain public libraries of full sets of the reports of the Supreme and Appellate courts; for the donation of such reports hereafter printed,

and to provide for an appropriation to purchase certain volumes of such reports not now on hand,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 228, entitled

An act to amend section 5937 of article 5, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Cities of the fourth class,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 229, entitled

An act to provide against the use of poisonous or other deleterious ingredients in the manufacture of candy, and to regulate the manufacture and sale of adulterated candies, and to repeal section 2279 of the Revised Statutes of 1899 and an act amendatory thereof, approved March 20, 1897,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 230, entitled

An act creating a free public library commission, defining its powers and duties, and providing for a system of circulating libraries,

Was taken up, read second time, and referred to Committee on Education.

Senate bill No. 231, entitled

An act to amend section 947, chapter 12, article 1—corporations, private,

Was taken up, read second time, and referred to Committee on Private Corporations.

House bill No. 64, entitled

An act to amend article 2, chapter 14 of the Revised Statutes, by adding a new section, to be numbered 1649a, relating to the jurisdiction of the courts of appeal, with an emergency clause,

Was read first time and laid over under the rules.

Committee substitute for House bill No. 7, entitled

An act to amend section 581 of the Revised Statutes of Missouri, 1899, relating to orders of publication,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 10, entitled

An act to amend section 1817, chapter 15, article 2 of the Revised Statutes of the State of Missouri, relating to offenses against the lives and persons of individuals,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Committee substitute for House bill No. 4, entitled

An act to amend sections 5064 and 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House bill No. 40, entitled

An act to amend section 1111 of article II of chapter 12 of the Revised Statutes of Missouri, 1899, entitled "Railroad companies,"

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Committee substitute for House bill No. 98, entitled

An act to amend section 822, chapter 8, article XI of the Revised Statutes of the State of Missouri, relating to changes of venue,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 121, entitled

An act to amend section 2104 of the Revised Statutes of 1899 by inserting certain words,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bills Nos. 59, 166 and 182 called up and laid over informally.

Senators Sullivan, Lee, Collins, Schoenlaub, Rubey, Matthews, Rollins and Whaley were granted leave of absence.

Senate bill No. 33, entitled

An act to provide for the punishment of any one guilty of kidnaping or carrying away any child or other person,

Was taken up.

Senator Martin moved that the bill be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 33 was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Dowell,   | Martin,  | Stubbs,    |
| Bradley,  | Drabelle, | Morton,  | Tandy,     |
| Clarke,   | Farris,   | Orchard, | Thomas,    |
| Clay,     | Fields,   | Ramp,    | Walker,    |
| Cooper,   | Haynes,   | Smith,   | Zevely—22. |
| Davisson, | Heather,  |          |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Collins,  | Lee,      | Rollins,    | Sullivan,  |
| Costello, | Marshall, | Rubey,      | Whaley—11. |
| Jewell,   | Matthews, | Schoenlaub, |            |

The emergency clause to Senate bill No. 33 was adopted by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Dowell,   | Jewell,  | Stubbs,    |
| Bradley,  | Drabelle, | Martin,  | Tandy,     |
| Clarke,   | Farris,   | Morton,  | Thomas,    |
| Clay,     | Fields,   | Orchard, | Walker,    |
| Cooper,   | Haynes,   | Ramp,    | Zevely—23. |
| Davisson, | Heather,  | Smith,   |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Collins,  | Marshall, | Rubey,      | Tandy,     |
| Costello, | Matthews, | Schoenlaub, | Whaley—10. |
| Lee,      | Rollins,  |             |            |

The title to the bill was read and agreed to.

Senator Martin moved to reconsider vote by which the bill and emergency clause passed.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 36, entitled

An act to amend article 6, chapter 16 of the Revised Statutes of the State of Missouri, 1899, entitled "Proceedings before trial—change of venue, when granted," by striking out sections 2595, 2596 and 2597, and inserting three new sections in lieu thereof, to be numbered sections 2595, 2596 and 2597, respectively,

Was read third time and placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Dowell,   | Jewell,  | Stubbs,    |
| Bradley,  | Drabelle, | Morton,  | Tandy,     |
| Clarke,   | Farris,   | Orchard, | Thomas,    |
| Clay,     | Fields,   | Ramp,    | Walker,    |
| Cooper,   | Haynes,   | Smith,   | Zevely—22. |
| Davisson, | Heather,  |          |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Collins,  | Marshall, | Rollins,    | Sullivan,  |
| Costello, | Martin,   | Rubey,      | Whaley—11. |
| Lee,      | Matthews, | Schoenlaub, |            |

The title to the bill was read and agreed to.

Senator Bradley moved that the vote by which the bill passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 151 was taken up.

Senator Smith moved that the vote by which the bill was ordered engrossed be reconsidered.

The motion prevailed.

On motion of Senator Smith, the bill was laid over informally.

Senate bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Dowell,   | Jewell,  | Smith,     |
| Bradley,  | Drabelle, | Martin,  | Tandy,     |
| Clarke,   | Farris,   | Orchard, | Thomas,    |
| Clay,     | Fields,   | Ramp,    | Walker,    |
| Cooper,   | Haynes,   |          | Zevely—22. |
| Davisson, | Heather,  |          |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Collins,  | Marshall, | Rubey,      | Sullivan,  |
| Costello, | Matthews, | Schoenlaub, | Whaley—11. |
| Lee,      | Rollins,  | Stubbs,     |            |

The title was read and agreed to.

Senator Lee moved to reconsider the vote by which the bill passed.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senate bills No. 117 and No. 4 were taken up, and laid over informally.

Senate bills No. 67 and No. 77 were taken up, and laid over informally.

Senate bill No. 78, entitled

An act authorizing the erection of a new Supreme Court building, creating a commission to have charge of such erection, and making an appropriation to carry the act into effect,

Was ordered engrossed and printed.

Senate bills Nos. 204 and 5 were taken up and laid over informally.

Senate bill No. 157, entitled

An act entitled an act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State seminary moneys,

Was ordered engrossed and printed.

Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict therewith,

Was ordered engrossed and printed.

Senate bill No. 184 was taken up, and laid over informally.

Senate bill No. 70 was taken up.

On motion of Senator Stubbs, was indefinitely postponed.

Senate bills Nos. 172 and 189 were taken up, and laid over informally.

Senate bill No. 206, entitled

An act to amend sections 995 and 997 of article 1 chapter 12, of the Revised Statutes of Missouri of 1899, relating to the service of summons in actions against corporations and where the same may be instituted and prosecuted,

Was ordered engrossed and printed.

Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102, of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants, by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty,"

Was ordered engrossed and printed.

Senate bill No. 115 was taken up.

Senator Ramp moved that said bill be referred to Committee on Appropriations.

The motion prevailed.

On motion of Senator Walker, the Senate adjourned until 10 a. m. tomorrow.

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### THIRTIETH DAY—Tuesday, February 12, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Monday read and approved.

Senator Clarke presented a petition from 90 residents of Jackson county and Kansas City, asking for passage of compulsory educational law;

Which was read, and referred to Committee on Education.

Senator Bradley presented petition from citizens of Cass, Johnson, and Vernon counties requesting compulsory education law;

Which was read, and referred to Committee on Education.

Senator Tandy presented petition from citizens of Lawrence, Barry, Jasper and other counties in that district, asking for the passage of a compulsory education law;

Which was read, and referred to Committee on Education.

Senator Clay presented petition from citizens of Jefferson, St. Louis and Madison counties asking for the passage of a compulsory education law;

Which was read, and referred to Committee on Education.

Senator Sullivan presented petition from Christian, Dade and other counties requesting compulsory education law;

Which was read, and referred to Committee on Education.

Senator Davisson presented petition from DeKalb, Nodaway and other counties requesting compulsory education law;

Which was read, and referred to Committee on Education.

Senator Walker presented a petition from citizens of Montgomery county, asking for passage of Senate bill No. 110;

Which was read, and referred to Committee on Criminal Jurisprudence.

Senator Walker presented a petition from citizens of Rocheport, Missouri, asking for passage of an anti-cigarette law;

Which was read, and referred to Committee on Criminal Jurisprudence.

Senator Davisson presented a petition from citizens of Knox county, asking for the passage of a bill allowing all women the right to vote in school elections;

Which was read, and referred to Committee on Education.

Senator Fields presented a petition from citizens of Browning and Chillicothe opposing the repealing of the present game law;

Which was read, and referred to Committee on Criminal Jurisprudence.

Senator Fields presented a petition from citizens of Marceline, asking for passage of Senate bill No. 110 and House bill No. 88, and opposing amendment offered by Mr. Hamilton of Daviess county to House bill No. 88;

Which was read, and referred to Committee on Criminal Jurisprudence.

Senator Stubbs presented a petition from citizens of Atchison county asking for passage of a compulsory education law;

Which was read, and referred to Committee on Education.

Senator Orchard presented a petition of St. Francois, Howell and other counties requesting compulsory education law;

Which was read, and referred to Committee on Education.

Senator Davisson offered the following resolution:

Whereas, The law governing the appointment of boards of managers of the educational institutions and the board of agriculture requires that they shall be bi-partisan; therefore be it

Resolved, That the Governor be requested to immediately submit to this Senate the names of the members of the boards of managers of the educational institutions and the State Board of Agriculture and designate the politics of each member thereof.

Which was read and laid over informally.

Senator Thomas offered the following resolution:

Resolved, That the State Treasurer be and he is hereby requested to honor, when approved by the State Auditor, the requisitions of the proper officers of the educational institutions of the State, to wit: "The State University, three normal schools and the Lincoln Institute for moneys for which to defray expenses for salaries of employes, officers and teachers of said institutions from January 1, 1901, until the approval of the appropriation bill of the Forty-first General Assembly. The amounts advanced in pursuance of this resolution to be considered and treated as being a part of the regular appropriation for 1901 and 1902.

Which was read and adopted.

Senator Cooper introduced Senate bill No. 249, entitled  
An act relating to stock-pens at railroad stations;  
Read first time and 150 copies ordered printed.

Senator Farris, from the Committee on Private Corporations, submitted the following reports:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 170, entitled

An act to repeal section 8043 of article 8, chapter 119 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 8043,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 195, entitled

An act to provide for an annual accounting to policy holders in mutual life insurance companies, and to regulate the distribution of profits or surplus,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred House bill No. 139, entitled

An act to amend section 1526 of chapter 12, article 18 of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private,"

Begs leave to report that it has examined the same, and recommends that it do pass;

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 133, entitled

An act to provide for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more,

Begs leave to report that it has compared the same, and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senate bill No. 232, entitled

An act relating to propagation and preservation of game, animals, birds and fish,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 233, entitled

An act to amend section 3787 of article 2, chapter 42 of the Revised Statutes of the State of Missouri, 1899, entitled "Juries,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 234, entitled

An act to require telegraph companies to pay taxes upon their gross earnings,

Was taken up, read second time, and referred to Committee on Private Corporations,

Senate bill No. 235, entitled

An act to amend sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities,

Was taken up, read second time, and referred to Committee on Penitentiary and Reform Schools.

The following communications were received from the House, through its chief clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and concurred in Senate joint resolution in respect to the death of Gen. B. M. Prentiss.

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House, House bill No. 173, entitled

An act to repeal section 8828, chapter 133, article 2 of the Revised Statutes of 1899, of the State of Missouri, relating to safety and inspection of mines, and to enact a new section in lieu thereof, relating to safety and inspection of mines;

Also, House bill No. 181, entitled

An act to amend section fifty-eight hundred and thirty-six (5836), article 4, chapter 91 of the Revised Statutes of Missouri, 1899, entitled "Cities, towns and villages;"

Also, House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902.

In which the concurrence of the Senate is respectfully requested; Which were read.

Senate bill No. 238, entitled

An act to amend article 2 of chapter 149 of the Revised Statutes

of Missouri of 1899, entitled "The assessment and collection of the revenue," by adding a new section thereto, to be known as section 9188a, providing for the publication of the personal assessment list and the manner thereof, in all counties in this State except in cities having of which may hereafter have 300,000 inhabitants,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 239, entitled

An act to repeal article 2, entitled "Excise Commissioner," of chapter 22 of the Revised Statutes of 1899, the same being sections 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026 of said Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 240, entitled

An act to repeal section 2834 and section 2835, article 15, chapter 16 of the Revised Statutes of Missouri of 1899, and to enact two new sections in lieu thereof, to be known as sections 2834 and 2835, relative to costs in criminal cases,

Was taken up, read second time, and referred to Committee on Penitentiary and Reform Schools.

Senate bill No. 241, entitled

An act to require all corporations, companies and associations engaged in gathering and furnishing news for newspaper publication, publishers and other publications to furnish to all newspapers and publications on equal terms,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 242, entitled

An act requiring all insurance companies to indorse on or attach to policies issued by them copies of the application and of the medical examination on which said policies are issued and prescribing a penalty for omission to do so,

Was taken up, read second time, and referred to Committee on Life Insurance.

Senate bill No. 243, entitled

An act to amend section 4358 of chapter 52, Revised Statutes, 1899, entitled "Mortgages and deeds of trust,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 7, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899 of the State of Missouri, by adding two new sections thereto, to be numbered sections 9136a and 9136b,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Cooper,  
Costello,  
Davison,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,

Martin,  
Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,

Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Zevely—26.

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Schoenlaub, | Whaley—7. |
| Lee,     | Rubey,    | Smith,      |           |

The emergency clause to Senate bill No. 7 was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | * Martin, | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Rollins,  | Zevely—26. |
| Davison,  | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Schoenlaub, | Whaley—7. |
| Lee,     | Rubey,    | Smith,      |           |

The title to the bill was read and agreed to.

Senator Orchard moved to reconsider the vote by which Senate bill No. 7 and emergency clause passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 30 was taken up, and laid over informally.

Senate bill No. 44 entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Rollins,  | Zevely—26. |
| Davison,  | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Schoenlaub, | Whaley—7. |
| Lee,     | Rubey,    | Smith,      |           |

The emergency clause to Senate bill No 44 was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Rollins,  | Zevely—26. |
| Davison,  | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Schoenlaub, | Whaley—7. |
| Lee,     | Rubey,    | Smith,      |           |

The title to the bill was read and agreed to.

Senator Martin moved to reconsider the vote by which Senate bill No. 44 passed.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senate bills No. 47 and 68 were taken up, and laid over informally.

Senate bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds, and for the levying of tax therefor, and declaring an emergency,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Martin,   | Smith,     |
| Bradley,  | Farris,   | Matthews, | Stubbs,    |
| Clay,     | Fields,   | Morton,   | Sullivan,  |
| Cooper,   | Haynes,   | Orchard,  | Tandy,     |
| Costello, | Heather,  | Ramp,     | Thomas,    |
| Davisson, | Jewell,   | Rollins,  | Walker—25. |
| Dowell,   |           |           |            |

NAY—Senator Zevely—1.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Clarke,  | Lee,      | Rubey,      | Whaley—7. |
| Collins, | Marshall, | Schoenlaub, |           |

The emergency clause to Senate bill No. 85 was adopted by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Dowell,   | Jewell,  | Smith,     |
| Bradley,  | Drabelle, | Martin,  | Stubbs,    |
| Clay,     | Farris,   | Morton,  | Sullivan,  |
| Cooper,   | Fields,   | Orchard, | Tandy,     |
| Costello, | Haynes,   | Ramp,    | Thomas,    |
| Davisson, | Heather,  | Rollins, | Walker—24. |

NAY—Senator Zevely—1.

Absent with leave—Senators

|          |           |           |             |
|----------|-----------|-----------|-------------|
| Clarke,  | Lee,      | Matthews, | Schoenlaub, |
| Collins, | Marshall, | Rubey,    | Whaley—8.   |

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill and the emergency clause was passed be reconsidered.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 86 was taken up, and laid over informally.

Committee substitute for Senate bill No. 102 was taken up, and laid over informally.

Senate bill No. 140, entitled

An act to amend section 3620 of the Revised Statutes of 1899,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |          |            |
|----------|-----------|----------|------------|
| Biggs,   | Costello, | Jewell,  | Sullivan,  |
| Bradley, | Davisson, | Morton,  | Tandy,     |
| Clarke,  | Drabelle, | Orchard, | Thomas,    |
| Clay,    | Farris,   | Rollins, | Walker,    |
| Cooper,  | Heather,  | Smith,   | Zevely—20. |

NAYS—Senators

|         |         |           |           |
|---------|---------|-----------|-----------|
| Dowell, | Haynes, | Matthews, | Stubbs—6. |
| Fields, | Martin, |           |           |

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Rubey,      | Whaley—7. |
| Lee,     | Ramp,     | Schoenlaub, |           |

The title to the bill was read and agreed to.

Senator Costello moved to reconsider the vote by which Senate bill No. 140 passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for Senate bill No. 144, entitled

An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of the same,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Stubbs,    |
| Bradley,  | Farris,   | Morton,   | Sullivan,  |
| Clay,     | Fields,   | Orchard,  | Tandy,     |
| Cooper,   | Haynes,   | Ramp,     | Thomas,    |
| Costello, | Heather,  | Rollins,  | Walker,    |
| Davisson, | Jewell,   | Smith,    | Zevely—26. |
| Dowell,   | Martin,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Clarke,  | Lee,      | Rubey,      | Whaley—7. |
| Collins, | Marshall, | Schoenlaub, |           |

The emergency clause to committee substitute for Senate bill No. 144 was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Stubbs,    |
| Bradley,  | Farris,   | Morton,   | Sullivan,  |
| Clay,     | Fields,   | Orchard,  | Tandy,     |
| Cooper,   | Haynes,   | Ramp,     | Thomas,    |
| Costello, | Heather,  | Rollins,  | Walker,    |
| Davisson, | Jewell,   | Smith,    | Zevely—26. |
| Dowell,   | Martin,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Clarke,  | Lee,      | Rubey,      | Whaley—7. |
| Collins, | Marshall, | Schoenlaub, |           |

The title to the bill was read and agreed to.

Senator Haynes moved to reconsider the vote by which committee substitute for Senate bill No. 144 and emergency clause was passed.

Senator Stubbs moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 153, entitled

An act to amend article eight of chapter 102 of the Revised Statutes of 1899, entitled "Registrations and elections in cities with 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Smith,    | Zevely—26. |
| Davisson, | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Rubey,      | Whaley—7. |
| Lee,     | Rollins,  | Schoenlaub, |           |

The emergency clause to Senate bill No. 153 was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Cooper,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,

Jewell,  
Martin,  
Matthews,  
Morton,  
Ramp,  
Smith,

Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Zevely—25.

## NAYS—None.

## Absent with leave—Senators

Collins,  
Lee,

Marshall,  
Orchard,

Rollins,  
Rubey,

Schoenlaub,  
Whaley—8.

The title to the bill was read and agreed to.

Senator Drabelle moved that the vote by which Senate bill No. 153 and emergency clause passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

The following communications were received from the House of representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House, joint and concurrent resolution No. 5, entitled

House joint and concurrent resolution No. 5, petitioning Congress to call convention proposing amendment to Constitution to elect United States Senators by direct vote of the people;

Also, House bill No. 128, entitled

An act to amend section 2997, chapter 22 of the Revised Statutes of Missouri, 1899, entitled "Dramshops, Excise Commissioner and local option;"

Also, House bill No. 149, entitled

An act to amend section 1584, article 1, chapter 14, Revised Statutes of Missouri, 1899, entitled "Courts of record," and relating to the docketing of cases in said courts;

Also, House bill No. 196, entitled

An act to amend article 2, chapter 43 of the Revised Statutes of 1899, by adding a new section thereto, relating to the jurisdiction of justices of the peace;

Also, the House has concurred in Senate amendment No. 1 to House bill No. 227, entitled

An act to appropriate money for the State Sinking Fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902;

Also, House bill No. 28, entitled

An act to amend chapter 86 of the Revised Statutes of Missouri of 1899, relating to burial grounds, by adding a new section thereto, to be known as section 5217a;

Also, House bill No. 221, entitled

An act to amend section 3500 of chapter 34 of the Revised Statutes of Missouri of 1899, entitled "Guardians and curators;"

In which the concurrence of the Senate is respectfully requested; Which were read.

Senate bill No. 147, entitled

An act requiring surety companies, incorporated under the laws of other states, before doing business in this State, to make deposit with the Insurance Department to indemnify persons doing business with such company against loss,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Fields,   | Morton,  | Sullivan,  |
| Clarke,   | Haynes,   | Orchard, | Tandy,     |
| Clay,     | Heather,  | Ramp,    | Thomas,    |
| Cooper,   | Jewell,   | Rollins, | Walker,    |
| Costello, | Martin,   | Smith,   | Zevely—23. |
| Farris,   | Matthews, | Stubbs,  |            |

## NAYS—Senators

|                            |           |             |             |
|----------------------------|-----------|-------------|-------------|
| Bradley,                   | Davison,  | Dowell,     | Drabelle—4. |
| Absent with leave—Senators |           |             |             |
| Collins,                   | Marshall, | Schoenlaub, | Whaley—6.   |
| Lee,                       | Rubey,    |             |             |

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which Senate bill No. 147 was passed be reconsidered.

Senator Cooper moved to lay that motion on the table.

The latter motion prevailed.

Senator Ramp called up committee substitute for Senate bill No. 102, and moved that the vote by which the substitute was ordered engrossed and printed be reconsidered.

The motion prevailed.

Senator Ramp offered the following amendment to committee substitute to Senate bill No. 102:

Amendment No. 1 to committee substitute for Senate bill No. 102:

Amend committee substitute for Senate bill No. 102 by striking out of lines four and five, section 1, the following words: "Either circuit or criminal," and insert in lieu thereof the words "of record;"

Which was read first and second times and agreed to.

Also the following amendment was offered to committee substitute to Senate bill No. 102:

Amendment No. 2 to committee substitute for Senate bill No. 102:

Amend committee substitute for Senate bill No. 102 by striking out of line 29, section 3245, the following words: "Either circuit or criminal," and insert in lieu thereof the words "of record;"

Which was read first and second times and agreed to.

Senator Ramp moved that the rules be suspended and committee substitute for Senate bill No. 102, as amended, be ordered engrossed and printed.

The motion prevailed.

The President called Senator Walker to the chair.

Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Clarke,   | Farris,   | Morton,  | Tandy,     |
| Clay,     | Fields,   | Orchard, | Thomas,    |
| Cooper,   | Haynes,   | Smith,   | Walker,    |
| Davison,  | Jewell,   | Stubbs,  | Zevely—18. |
| Drabelle, | Matthews, |          |            |

## NAYS—Senators

|           |          |         |             |
|-----------|----------|---------|-------------|
| Biggs,    | Dowell,  | Martin, | Rollins.    |
| Bradley,  | Heather, | Ramp,   | Sullivan—9. |
| Costello, |          |         |             |

Absent with leave—Senators

|                  |                     |             |           |
|------------------|---------------------|-------------|-----------|
| Collins,<br>Lee, | Marshall,<br>Rubey, | Schoenlaub, | Whaley—6. |
|------------------|---------------------|-------------|-----------|

The title to the bill was read and agreed to.

Senator Thomas moved to reconsider the vote by which the bill passed.

Senator Davisson moved to lay that motion on the table.

The latter motion prevailed.

Senator Martin moved that the Senate take a recess until 2 p. m.

Roll-call demanded.

Motion prevailed by the following vote:

YEAS—Senators

|  |  |  |                                 |
|--|--|--|---------------------------------|
| Biggs,<br>Bradley,<br>Clay,<br>Cooper, | Costello,<br>Davisson,<br>Dowell,<br>Fields, | Heather,<br>Martin,<br>Ramp,<br>Rollins, | Smith,<br>Stubbs,<br>Walker—15. |
|--|--|--|---------------------------------|

NAYS—Senators

|                                 |                                |                     |                       |
|---------------------------------|--------------------------------|---------------------|-----------------------|
| Clarke,<br>Drabelle,<br>Farris, | Jewell,<br>Morton,<br>Orchard, | Sullivan,<br>Tandy, | Thomas,<br>Zevely—10. |
|---------------------------------|--------------------------------|---------------------|-----------------------|

Absent with leave—Senators

|                     |                   |                     |                          |
|---------------------|-------------------|---------------------|--------------------------|
| Collins,<br>Haynes, | Lee,<br>Marshall, | Matthews,<br>Rubey, | Schoenlaub,<br>Whaley—8. |
|---------------------|-------------------|---------------------|--------------------------|

The Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The President called the Senate to order.

Senate bill No. 163 was taken up and laid over informally.

Senator Drabelle moved that the rules be suspended, and bills on the calendar for engrossment be made the order of business.

The motion prevailed.

Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children,

Was ordered engrossed and printed.

Senate bill No. 67, entitled

An act authorizing assessors of certain counties adjacent to cities having a population of three hundred thousand inhabitants or more to issue permits for the erection or alteration of buildings,

Was ordered engrossed and printed.

Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of three hundred thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof,

Was called up by Senator Drabelle, and ordered engrossed and printed.

Committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to define and tax the franchises of all corporations, companies or associations doing business in this State, except such as are

by law exempt from taxation, and requiring the State Board of Equalization to assess the same, and providing penalties for violation of this act,

Was called up by Senator Martin, who moved that it be engrossed and printed.

Senator Clay moved that committee substitute for Senate bills Nos. 1, 6, 59 and 114 be made a special order of business for tomorrow, Wednesday, February 13, at 2 p. m.

Senator Martin (by consent) withdrew his motion to engross and print, and seconded the motion to make it a special order for 2 p. m., tomorrow.

Senator Walker moved to amend the motion by making the hour for special order 2 p. m., Thursday, February 14.

Amendment was accepted by Senator Clay.

Senator Walker by consent withdrew his motion and moved as a substitute motion that substitute to Senate bill 1, 6, 59, 105, and 114, be made a special order for 2 o'clock p. m. Tuesday, February 19th.

The motion prevailed.

Senate bill No. 163, entitled

An act to amend section 9809 of the Revised Statutes of 1899, relating to pay of county school commissioner,

Was read third time, placed upon its passage, and passed by the following vote :

YEAS—Senators

Biggs,  
Cooper,  
Davisson,  
Drabelle,  
Farris,

Haynes,  
Jewell,  
Matthews,  
Morton,  
Orchard,

Ramp,  
Rollins,  
Smith,  
Stubbs,

Sullivan,  
Tandy,  
Thomas,  
Walker—18.

NAYS—Senators

Bradley,  
Clarke,  
Clay,

Costello,  
Dowell,

Fields,  
Heather,

Martin,  
Zevely—9.

Absent with leave—Senators

Collins,  
Lee,

Marshall,  
Rubey,

Schoenlaub,

Whaley—6.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which Senate bill No. 16 was passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 164 was taken up.

Senator Sullivan moved that the vote by which the bill was ordered engrossed and printed be reconsidered.

The motion prevailed.

Senator Sullivan offered the following amendment to Senate bill No. 164:

Senate amendment No. 2 to Senate bill No. 164:

Amend Senate bill No. 164 by striking out the word "Supreme," in the 7th line of the printed bill, and inserting in lieu thereof the words "proper appellate;"

Which was read first and second times and agreed to.

Senate bill No. 164, entitled

An act to amend section 2696, article 10, chapter 16 of the Revised Statutes of 1899, relating to appeals in criminal cases.

On motion of Senator Sullivan, Senate bill No. 164, as amended, was ordered engrossed and printed.

A message was received from the Governor through his Private Secretary.

[For message, see Appendix.]

Senate bill No. 71 was taken up, and laid over informally.

House bill No. 63 was taken up, and laid over informally.

Senator Morton moved that the rules be suspended and that House bill No. 139 be taken up.

The motion prevailed.

House bill No. 139 was taken up.

Senator Morton moved that the bill be read third time and placed upon its passage.

The motion prevailed.

House bill No. 139, entitled

An act to amend section 1526 of chapter 12, article 18 of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private."

Was taken up, read third time, placed upon its passage, and passed, by the following vote :

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Smith,    | Zevely—26. |
| Davisson, | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Rubey,      | Whaley—7. |
| Lee,     | Rollins,  | Schoenlaub, |           |

The title to the bill was read and agreed to.

Senator Morton moved to reconsider the vote by which House bill No. 139 passed.

The motion prevailed by the following vote :

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Smith,    | Zevely—26. |
| Davisson, | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Rubey,      | Whaley—7. |
| Lee,     | Rollins,  | Schoenlaub, |           |

Senator Haynes moved to reconsider the vote by which the bill was ordered read third time.

The motion prevailed.

The following amendment was offered by Senator Morton :

Senate amendment No. 1 to House bill No. 139 :

Amend House bill No. 139 by adding a new section to be known as section 1526a :

Section 1526a. The fact that the Board of Directors necessary to carry out the provisions of this act is required to be elected at an early date, an emergency exists within the meaning of the Constitution, therefore this act shall take effect and be in force from and after its passage.

Read first and second times and agreed to.

Senator Morton moved that the bill, as amended, be read third time and placed upon its passage.

The motion prevailed.

House bill No. 139, entitled

An act to amend section 1526 of chapter 12, article 18 of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private,"

Was read third time, placed upon its passage, and passed by following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Smith,    | Zevely—26. |
| Davisson, | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Rubey,      | Whaley—7. |
| Lee,     | Rollins,  | Schoenlaub, |           |

The emergency clause to House bill No. 139, was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Drabelle, | Matthews, | Sullivan,  |
| Clarke,   | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Orchard,  | Thomas,    |
| Cooper,   | Haynes,   | Ramp,     | Walker,    |
| Costello, | Heather,  | Smith,    | Zevely—26. |
| Davisson, | Jewell,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Marshall, | Rubey,      | Whaley—7. |
| Lee,     | Rollins,  | Schoenlaub, |           |

The title to the bill was read and agreed to.

Senator Haynes moved to reconsider the vote by which House bill No. 139 and emergency clause passed.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Joint resolution petitioning Congress to appropriate money to build a bridge across Cowskin river was taken up.

Senator Tandy moved that the resolution be adopted.

The motion prevailed.

Senator Farris introduced Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled "Institutions, eleemosynary;"

Read first time and 150 copies ordered printed.

The following communications were received from the Governor, through his Private Secretary:

Executive Department, State of Missouri,  
Jefferson City, February 12, 1901.

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) P. P. Ellis of New Florence a member of the State Board of Immigration, vice Joseph W. Folk, resigned.

Respectfully,

A. M. DOCKERY, Governor.

Which was read and referred to Committee on Labor, Mines and Mining.

Executive Department, State of Missouri, }  
 Jefferson City, February 12, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) B. B. Gill of Chillicothe a member of the Board of Managers of the Missouri School for the Blind, located at St. Louis, to hold for a term of four years from February 1, 1901.

Respectfully,  
 A. M. DOCKERY, Governor.

Which was read and referred to Committee on Eleemosynary Institutions and Public Health.

Executive Department, State of Missouri, }  
 Jefferson City, February 12, 1901. }

To the President of the Senate:

I have the honor to withdraw from your consideration the name of P. P. Ellis of New Florence, heretofore forwarded to you as a member of the Board of Regents of the Lincoln Institute, and substitute therefor the name of Louis Hoffman of Sedalia for said position.

Respectfully,  
 A. M. DOCKERY, Governor.

Which was read and referred to Committee on University and Normal Schools.

On motion of Senator Stubbs Senate went into executive session.  
 Regular session resumed.

On motion of Senator Walker, Senate adjourned under the rules.

### THIRTY-FIRST DAY—Wednesday, February 13, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Cooper presented a petition from citizens of Camden and Morgan counties asking for the passage of a law appropriating money to demonstrate the existence of deeper and larger bodies of minerals in different localities of the State;

Which was read, and referred to the Committee on Appropriations:

Senator Ramp presented a petition from citizens of Stone, Barry, Lawrence, et al. counties, requesting compulsory education law.

Read and referred to Committee on Education.

Senator Ramp presented a petition from citizens of Greene county, requesting compulsory education law.

Read and referred to Committee on Education.

Senator Heather presented a petition from citizens of his district asking for the passage of a law compelling children of sound mind between the ages of six and fourteen to attend school part of each year.

Read and referred to the Committee on Education.

A message from the Governor.

[For message, see Appendix.]

Senator Davisson introduced Senate joint and concurrent resolution No. 7, submitting to the qualified voters of Missouri an amendment to the Constitution concerning revenue and taxation;

Read first time and 150 copies ordered printed.

Senator Rollins offered the following resolution:

Resolved, That Thursday, February 28, 2 p. m., be designated and set aside for a memorial service in honor of the memory of our late Senator, Hon. Thomas C. Martin; and that the President designate at least three Senators to prepare papers to be read at the meeting.

Resolved further, That the House of Representatives be requested to meet with us and take part in the meeting.

Which was read and adopted.

Senator Haynes introduced Senate bill No. 251, entitled

An act to amend section 7131 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over;

Read first time and 150 copies ordered printed.

Senator Farris, from the Committee on Private Corporations, submitted the two following reports:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 241, entitled

An act to require all corporations, companies and associations, engaged in gathering and furnishing news for newspaper publication, publishers and other publications to furnish to all newspapers and publications on equal terms,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 146, entitled

An act to provide for the inspection of gas meters and illuminating gas in all cities of the State now having, or which may hereafter have, a population of fifty thousand inhabitants or over; authorizing the appointment of inspectors in and for such cities; defining their powers and duties, and prescribing penalties for its violations,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the two following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 101, entitled

An act to amend chapter 15, article 8 of the Revised Statutes of 1899, by adding a new section thereto, to be known as section 2269a,

Begs leave to report that it has examined the same and recommends that it do pass:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 167, entitled

An act to amend section 1855, article 2, chapter 15 of the Revised Statutes of 1899, relating to crimes and punishments,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendment;

Amendment No. 1 to Senate bill No. 167:

Amend Senate bill No. 167, by striking out of lines 4 and 8 of printed bill the word "sixteen," and insert in lieu thereof the word "fourteen;"

Read first and second times and agreed to;

Which were read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the three following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 213, entitled

An act to re-enact sections 2303 and 2304, Revised Statutes of Missouri, 1899, article VIII, chapter 15, entitled "Offenses against public morals and decency or the public police and miscellaneous offenses,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 222, entitled

An act to amend section 2996, article 1, chapter 22, Revised Statutes, 1899, relating to the license tax on dramshops.

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 24, entitled

An act to amend section 2759 of article 12, relating to proceedings is misdemeanors before justices of chapter 16, entitled "Practice and proceedings in criminal cases of Revised Statutes of 1899 of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Martin, from the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 50 entitled

An act to repeal section 8861, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Certain persons declared to be peddlers," and enact a new section in lieu thereof, to be known as section 8861,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendment;

Committee amendment to Senate bill No. 50:

Amend by adding after the word "eggs," in 9th line of the printed bill, the word "meat;"

Read first and second times and agreed to;

Which were read.

Senator Martin, from the Committee on Ways and Means, submitted the two following reports:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 51, entitled

An act to amend section 8867, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Rate of tax on peddler's license,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 52, entitled

An act to amend section 9144, article 2, chapter 149, Revised Statutes of Missouri, 1899, of the revenue law, entitled "Time of making assessment—what lists shall contain,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Clay, from the Committee on Labor, Mines and Manufactories, submitted the following report:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 132, entitled

An act to amend section 7502, chapter 110, Revised Statutes, 1899, relating to geology and mineralogy, and to enact a new section relating to the same subject, to be known as section 7502a, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Drabells, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 228, entitled

An act to amend section 5937 of article 5, chapter 91 of the Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 152, entitled

An act to amend section 4314, relating to marriage may be solemnized by whom, of chapter 50 of the Revised Statutes of Missouri of 1899, entitled "Marriage and marriage contracts,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

On motion of Senator Smith, Senate bill No. 152, was indefinitely postponed.

Senator Haynes, from the Committee on Judiciary, submitted the four following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13, 1867," as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b.

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 20, entitled

An act to amend section 4369 of chapter 52 of Revised Statutes of Missouri, entitled "Mortgages and deeds of trust,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 61, entitled

An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled "Dower,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 125, entitled

An act to amend section 13 of the act creating the criminal court of Jackson county, relating to changes of venue in said court,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Ramp moved to suspend the rules and take up Senate bill No. 222.

The motion prevailed.

Senate bill No. 222 was taken up.

On motion of Senator Ramp, Senate bill No. 222 was ordered engrossed and printed.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

To the Senate:

We are pledged to the enactment of a just, fair and equitable law imposing franchise taxation. The people of the State demand, and have a right to expect appropriate legislation for that purpose.

I am fully convinced that each Senator and Representative realizes the importance and necessity of immediate action to accomplish that result.

Widespread interest in the subject has been awakened, and individual preferences for this or that measure might reasonably be anticipated. It is not surprising, therefore, that differences of opinion exist concerning the proper scope of such a law and the details to be inserted in the bill.

But more than one-half of the allotted time for this legislative session has already elapsed and the time for action has arrived. If anything is to be accomplished, it must be done without further delay. I, therefore, most earnestly invite your immediate attention to this most important matter.

In considering legislation of this character, the difference between private business corporations and those owning public utilities, performing public services and possessing special and peculiar privileges, conferred upon them by the State or its municipalities, must not be overlooked. There is an obvious distinction between the character and nature of the franchise conferred upon a private corporation, formed to conduct an ordinary business enterprise, and the franchise conferred upon a quasi public corporation. The difference is not merely in degree, but also in kind. There is no constitutional obstacle to prevent the classification of objects for the purposes of legislation, provided such classification is a natural and not merely an arbitrary one.

A private business association receives from the State the privilege "to be a corporation." This is all that is conferred upon it. It is a "franchise" in the general sense of that term. Such a franchise, however, is worth just what it would cost to reincorporate. Two mercantile establishments may be engaged in business, side by side, and be equally prosperous and possess the same capital; one may be conducted by a private corporation, the other by a partnership. What would it cost the latter to be placed upon precisely the same plane as the other, so far as this franchise is concerned? Simply the amount of the statutory fees necessary to be paid into the State treasury, as a condition precedent to the issuing of the certificate of incorporation. That which any one may obtain "for the asking," by the payment of a certain sum into the treasury, can only be worth what it will cost to duplicate it. I refer, of course, only to the franchise granted by the State and not to the property of the corporation, which is taxed under present laws.

It is not so, however, with corporations possessing the privilege of using the public streets, exercising the right of eminent domain, acting as common carriers, receiving and collecting tolls, and performing other public services and functions under the permission of the State and its municipalities. Franchises of this latter nature are vastly different from that merely "to be a corporation." Such special privileges add greatly to the value of the tangible property of the corporation and constitute intangible property which has a real, substantial value. Whatever adds to the value of property upon the market should enter into the estimate of its value for taxation. It is not in such cases the right or privilege "of being a corporation" that should be taxed (which is all that is conferred upon a private corporation and can be obtained by the proper number of citizens at any time), but the special privilege of exercising public functions, using public property and managing public utilities.

If the mere right "to be a corporation" is not taxed, either in case of private corporations or of quasi public corporations, but only the special franchises and privileges enjoyed by the latter, it certainly cannot be claimed that any discrimination is made. Such privileges or franchises are valuable, and although intangible, constitute "property."

Hon. Thomas A. Sherwood, the senior justice of the Supreme Court of Missouri, pronounced the unanimous opinion of that court in the case of the Associated Press, recently decided, and therein clearly points out the distinction between private corporations and those possessing peculiar and special privileges and exercising public functions, and shows that different rules can be properly applied to these different classes of corporations.

As heretofore suggested, if neither is taxed upon the right "to be a corporation," but only upon the intangible property possessed by it, there cannot be any unjust discrimination.

It seems, therefore, clear to me that if a tax based upon value is to be imposed it should be upon the franchises—the intangible property of quasi public corporations from which the value of the capital stock of such corporation in large measure arises.

It has heretofore been assumed that the sum required to be paid at the organization of a corporation for the purpose of securing the certificate of incorporation was sufficient compensation for the mere corporate right to exist. But if it is desirable to make an exaction from private corporations in addition to the taxes paid upon their property, it should be done by a separate measure and upon a different principle entirely from an assessment upon a franchise valuation, and should be in the form of a specific annual license tax or duty upon such corporation. A tax of this kind should not be confounded with an assessment upon special public franchises which constitute intangible property and have a real, substantial value.

In view, therefore, of the commanding importance of this subject, I renew the assurance that I will earnestly co-operate with you to secure the enactment of a franchise law that will fully meet the expectations of the people, and at the same time deal justly with the great corporate interests of this State.

A. M. DOCKERY,

Executive office, City of Jefferson, February 13, 1901.

Which was read.

On motion of Senator Rubey, 2,000 copies were ordered printed and the printing to be given precedence.

The President called President Pro tem. Farris to the chair.

House joint and concurrent resolution No. 5, entitled

An act petitioning Congress to call convention proposing amendment to Constitution to elect U. S. Senators by direct vote of the people,

Was taken up and read first time.

House bill No. 28, entitled

An act entitled an act to amend chapter 86 of the Revised Statutes of Missouri of 1899, relating to burial grounds by adding a new section thereto, to be known as section 5217a,

Was taken up and read first time.

House bill No. 128, entitled

An act to amend section 2997, chapter 22 of the Revised Statutes of Missouri, 1899, entitled "Dramshops, Excise Commissioner and local option,"

Was taken up and read first time.

House bill No. 149, entitled

An act to amend section 1584 of article 1, chapter 14, Revised Statutes of Missouri, 1899, entitled "Courts of record," and relating to the general powers and duties of such courts,

Was taken up and read first time.

House bill No. 173, entitled

An act to repeal section 8828, chapter 133, article 2 of the Revised Statutes of 1899, of the State of Missouri, relating to safety and inspection of mines, and to enact a new section in lieu thereof, relating to safety and inspection of mines,

Was taken up and read first time.

House bill No. 181, entitled

An act to amend section fifty-eight hundred and thirty-six (5836) article four (4) chapter ninety-one (91) of the Revised Statutes of Missouri, 1899,

Was taken up and read first time.

House bill No. 196, entitled

An act to amend article 2 of chapter 43 of the Revised Statutes of 1899, by adding a new section thereto relating to the jurisdiction of justices of the peace,

Was taken up and read first time.

House bill No. 221, entitled

An act to amend section 3500 of chapter 34 of Revised Statutes of Missouri of 1899, entitled "Guardians and curators,"

Was taken up and read first time.

House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902,

Was taken up and read first time.

House bill No. 64, entitled

An act to amend article 2, chapter 14 of the Revised Statutes by adding a new section to be numbered 1649a, relating to the jurisdiction of the courts of appeal, with an emergency clause,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 59, entitled

An act to amend chapter 10, Revised Statutes of Missouri, 1899, entitled "Contracts and promises," by adding a new section thereto, to be known as section 899a, and relating to real estate agents, their dual agency prohibited and providing for a recovery in certain cases,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 166, entitled

An act to repeal sections 6819, 6820 and 6821 of article 6 of chapter 97 of the Revised Statutes of Missouri, 1899, and to enact three new sections in lieu thereof, entitled "Depositories for county funds,"

Was taken up, read second time, and referred to Committee on Ways and Means.

House bill No. 182, entitled

An act to amend section one thousand seven hundred and twenty (1720), article three (3), chapter fourteen of the Revised Statutes of Missouri, 1899, entitled "Circuit courts,"

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 133, entitled

An act to provide for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Morton,     | Smith,     |
| Clarke,   | Fields,   | Orchard,    | Stubbs,    |
| Clay,     | Haynes,   | Ramp,       | Tandy,     |
| Cooper,   | Jewell,   | Rollins,    | Thomas,    |
| Davison,  | Lee,      | Rubey,      | Walker—23. |
| Drabelle, | Matthews, | Schoenlaub, |            |

NAYS—Senators

|          |         |          |           |
|----------|---------|----------|-----------|
| Bradley, | Dowell, | Heather, | Martin—4. |
|----------|---------|----------|-----------|

## Absent with leave—Senators

Collins,  
Costello,Marshall,  
Sullivan,

Whaley,

Zevely—6.

Title to the bill was read and agreed to.

Senator Drabell moved to reconsider the vote by which Senate bill No. 133 passed.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

Senator Ruby called up Senate bill No. 47, and moved that it be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 47, entitled

An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroad, or in consideration of donations to the corporation building or constructing such railroad,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Cooper,  
Costello,  
Davisson,  
Dowell,Drabell,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Marshall,Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker—27.

## NAYS—None.

## Absent with leave—Senators

Clarke,  
Collins,Lee,  
Martin,

Whaley,

Zevely—6.

Senate bill No. 170 was taken up.

Senator Thomas moved that the bill be ordered engrossed and printed.

Roll call demanded.

Senate bill No. 170 was ordered engrossed and printed by the following vote:

## YEAS—Senators

Biggs,  
Clay,  
Cooper,  
Farris,  
Fields,Haynes,  
Jewell,  
Martin,  
Morton,  
Orchard,Rollins,  
Rubey,  
Schoenlaub,  
Smith,Sullivan,  
Tandy,  
Thomas,  
Walker—18.

## NAYS—Senators

Bradley,  
Clarke,  
Costello,Davisson,  
Dowell,  
Drabell,Heather,  
Marshall,  
Matthews,Ramp,  
Stubbs—11.

## Absent with leave—Senators

Collins,

Lee,

Whaley,

Zevely—4.

The twelve following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 68, entitled

An act to amend chapter 12, article 8, Revised Statutes of Missouri, 1899, by adding a new section to be known as section 1281a, to

prevent bank officials from using funds of banks and providing a penalty therefor;

Also, House bill No. 122, entitled

An act to amend chapter 110, Revised Statutes of 1899, by adding a new section thereto known as section 7503b, relating to "geology and mineralogy," new section as to duties of State Geologist;

Also, House bill No. 154, entitled

An act to repeal section 4789, article 2, chapter 60, Revised Statutes of 1899, relating to restraining animals from running at large and to enact a new section in lieu thereof;

Also, House bill No. 198, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court and to provide for the election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds and for the levying of a tax therefor and declaring an emergency;

Also, House bill No. 73, entitled

An act to prevent any person, corporation or company, superintendent or foreman of men from suspending temporarily or dismissing permanently any laborer or employe on account of such laborer or employe being a member of or belonging to any labor union or organization of any kind;

Also, House bill No. 253, entitled

An act amending section 3285 of article 2, of chapter 27, of the Revised Statutes of Missouri, 1899, relating to salary of certain officers,

Also Senate bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Also Senate bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Also, Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants: making agreements between attorney and client a lien upon the cause of action;

Also, Senate bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of the Revised Statutes of 1899, entitled "Costs in criminal cases."

Also, Senate bill No. 26, entitled

An act to amend section 9387 of article 9 of chapter 149 of Revised Statutes of 1899, entitled "Taxation of bridges and telegraph and express franchises;"

Also, Senate bill No. 29, entitled

An act to amend section 9391 of article 9 of chapter 149 of the Revised Statutes of 1899, "Taxation of bridges and telegraph and express franchises.

Which were read.

Senate bill No. 195 was ordered engrossed and printed.

Senate bill No. 125 was ordered engrossed and printed.

Senator Rollins called up Senate bill No. 101 and moved that the rules be suspended and the bill be ordered engrossed and printed.

The motion prevailed.

Senator Thomas called up Senate bill No. 171 and moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Smith,     |
| Clarke,   | Farris,   | Orchard,    | Stubbs,    |
| Cooper,   | Fields,   | Ramp,       | Sullivan,  |
| Costello, | Haynes,   | Rollins,    | Tandy,     |
| Davissou, | Jewell,   | Schoenlaub, | Thomas—22. |
| Dowell,   | Marshall, |             |            |

NAY—Senator Lee—1.

Absent with leave—Senators

|          |           |         |            |
|----------|-----------|---------|------------|
| Bradley, | Heather,  | Rubey,  | Whaley,    |
| Clay,    | Martin,   | Walker, | Zevely—10. |
| Collins, | Matthews, |         |            |

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Clarke,   | Farris,   | Matthews, | Smith,      |
| Cooper,   | Fields,   | Morton,   | Stubbs,     |
| Costello, | Haynes,   | Orchard,  | Sullivan,   |
| Davissou, | Jewell,   | Ramp,     | Tandy,      |
| Dowell,   | Lee,      | Rollins,  | Thomas—24.  |

NAYS—None.

Absent with leave—Senators

|          |          |         |           |
|----------|----------|---------|-----------|
| Bradley, | Heather, | Rubey,  | Whaley,   |
| Clay,    | Martin,  | Walker, | Zevely—9. |
| Collins, |          |         |           |

Senator Jewell introduced Senate bill No. 252, entitled

An act to regulate the operation and to limit the rate of passenger fare on street railways in cities now having and which may hereafter have one hundred thousand inhabitants and over;

Read first time and 150 copies ordered printed.

The following report was received from the Railroad and Warehouse Commissioners of the State:

State of Missouri, Railroad and Warehouse Department,  
City of Jefferson, February 12, 1901.

Hon. Cornelius Roach, Secretary of Senate, Jefferson City, Mo.:

Sir—In compliance with the resolution adopted by the Senate on the 7th inst., we beg to submit the following in reply:

Inasmuch as the State makes no appropriation for the grain inspection department, and the fees for services rendered having been reduced to practically the lowest limit, our force must necessarily fluctuate with the "ebb and flow" of receipts. This list, however, is made from our last pay roll:

EMPLOYEES MISSOURI STATE GRAIN INSPECTION DEPARTMENT WITH COUNTY  
FROM WHICH APPOINTED.

| Name.                                     | County.             | Salary.  |
|---|---------------------|----------|
| <b>KANSAS CITY.</b>                       |                     |          |
| F. H. Tedford, Assistant Chief.....       | Randolph.....       | \$150 00 |
| A. P. McCully, Clerk.....                 | Knox.....           | 125 00   |
| M. J. Tedford, Clerk (temporary).....     | Randolph.....       | 100 00   |
| P. H. McVeigh, Assistant Inspector.....   | Jackson.....        | 100 00   |
| John O. Winn, Assistant Inspector.....    | Howard.....         | 100 00   |
| D. H. Andrews, Helper.....                | Macon.....          | 70 00    |
| Lee Bower, Helper.....                    | Jackson.....        | 70 00    |
| William P. Martin, Weigher.....           | Shelby.....         | 70 00    |
| W. A. Goodding.....                       | Boone.....          | 70 00    |
| <b>ST. JOSEPH.</b>                        |                     |          |
| S. P. Broughton, Assistant Inspector..... | New Madrid.....     | 100 00   |
| <b>ST. LOUIS.</b>                         |                     |          |
| W. H. Goodding, Chief Inspector.....      | Macon.....          | 208 33   |
| M. C. Fears, Supervising Inspector.....   | St. Louis city..... | 125 00   |
| C. H. Phelps, Chief Weighmaster.....      | Jasper.....         | 125 00   |
| A. J. Hennessey, Chief Clerk.....         | St. Louis city..... | 125 00   |
| H. J. Flory, Warehouse Registrar.....     | St. Louis city..... | 100 00   |
| A. C. Donohoe, Clerk.....                 | Pettis.....         | 100 00   |
| F. J. Hennessey, Assistant Inspector..... | St. Louis city..... | 100 00   |
| E. A. Whitson, Assistant Inspector.....   | Franklin.....       | 100 00   |
| J. M. Rusk, Assistant Inspector.....      | St. Louis city..... | 100 00   |
| J. J. Gilmartin, Assistant Inspector..... | St. Louis city..... | 100 00   |
| F. A. J. Hiller, Assistant Inspector..... | Barton.....         | 100 00   |
| P. J. McMahon, Assistant Weigher.....     | St. Louis city..... | 70 00    |
| J. W. McKernan.....                       | St. Louis city..... | 70 00    |
| T. R. Foster, Assistant Weigher.....      | St. Louis city..... | 70 00    |
| T. W. Atchison, Assistant Weigher.....    | Audrain.....        | 70 00    |
| Frank Doyle, Helper.....                  | Greene.....         | 70 00    |
| John Carroll, Helper.....                 | St. Louis city..... | 70 00    |

F. H. Tedford (Kansas City) is a son-in-law and A. P. McCully a brother of Commissioner McCully.

A. J. Hennessey (chief clerk) and F. J. Hennessey (assistant inspector), St. Louis office, are both sons of Commissioner Hennessey.

Two years ago the number of men employed was:

|  |         |
|--|---------|
| St. Louis, 21 men, monthly pay roll.....   | \$2,080 |
| Kansas City, 17 men, monthly pay roll..... | 1,578   |
|  | \$3,658 |

Same has been reduced until now it stands:

|   |         |
|---|---------|
| St. Louis, 19 men, monthly pay roll.....                              | \$1,856 |
| Kansas City, 8 regular men (one extra deducted) monthly pay roll..... | 825     |
|   | \$2,781 |

Respectfully submitted,

T. J. HENNESSEY, Chairman.

WM. E. McCULLY,

JOE P. RICE,

Missouri R. R. and Warehouse Commissioners.

Which was read.

Senator Rollins presented a petition from members of the Building Trades' Council in the vicinity of St. Louis, Mo., asking for the passage of a law providing for the repeal of the special jury law;

Read and referred to the Committee on Judiciary.

The President submitted the following announcement:

February 13, 1901.

Committee, to address the Senate Thursday afternoon, February 28th, 1901, at 2 p. m. on occasion of memorial services in honor of Senator Thomas C. Martin, deceased:

Senators Rollins, Haynes and Collins.

Which was read.

On motion of Senator Fields, the Senate adjourned until 10 a. m. tomorrow.

## THIRTY-SECOND DAY—Thursday, February 14, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Clarke presented petition from grocer companies of Kansas City asking that Senate bill No. 110 and House bill No. 88 be passed;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Drabelle presented a petition from the A. M. Dockery Negro Democratic Club, St. Louis, protesting against the passage of the bill known as the separate coach bill;

Read, and referred to the Committee on Railroad and Internal Improvements.

Senator Farris (by request) introduced Senate bill No. 253, entitled

An act to further regulate the practice of law;

Read first time and 150 copies ordered printed.

Senator Davisson introduced Senate bill No. 254, entitled

An act to create a board of election commissioners in cities now having or which hereafter may have 300,000 inhabitants; to provide for the appointment of the same; to define duties of such board; to provide for the registration of all voters in such cities; to govern elections therein, defining offenses and providing for punishment thereof; prescribing penalties for violating the provisions of this act; and to repeal article 8, chapter 102 of the Revised Statutes of Missouri of 1899, entitled "Registration and elections in cities with three hundred thousand inhabitants or over;"

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theaters and music halls, factories, office buildings, church buildings and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses and to protect and preserve human life, and to repeal all acts in conflict herewith;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 256, entitled

An act to amend section 3265 of article 1, chapter 27 of the Revised Statutes of Missouri, relating to fees;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 257, entitled

An act to amend section 5187, chapter 84 of the Revised Statutes of 1899, relating to bridges;

Read first time and 150 copies ordered printed.

Senator Smith introduced Senate bill No. 258, entitled

An act to regulate opera houses, theaters and public halls;

Read first time and 150 copies ordered printed.

Senator Smith (by request) introduced Senate bill No. 259, entitled

An act to repeal section 6168 of article 9, chapter 91, Revised Statutes of Missouri, 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Smith (by request) introduced Senate bill No. 260, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency or the public police and miscellaneous offenses by adding two new sections thereto, to be known as sections 2298a and 2298b;

Read first time and 150 copies ordered printed.

Senator Matthews introduced Senate bill No. 261, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause;

Read first time and 150 copies ordered printed.

Senator Matthews (by request) introduced Senate bill No. 262, entitled

An act to amend article 8 of chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency or the public police and miscellaneous offenses by adding the following new sections thereto;

Read first time and 150 copies ordered printed.

Senator Matthews (by request) introduced Senate bill No. 263, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto, and by repealing section 2298 of said article;

Read first time and 150 copies ordered printed.

Senator Dowell submits the two following reports from the Committee on Enrolled Bills:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants; making agreements between attorney and client a lien upon the cause of action;

Also, Senate bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of Revised Statutes of 1899, entitled "Costs in criminal cases,"

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Cooper, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred joint and concurrent resolution No. 2,

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, authorizing the taxation of large inheritances in order to provide revenue for public educational purposes,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 130, entitled

An act to repeal section 2997 of article 1, chapter 22 of the Revised Statutes of Missouri of 1899, entitled "Dramshops," and by enacting a new section in lieu thereof, to be known as section 2997,

Begs leave to report that it has examined the same and recommends that it do pass, with the accompanying amendment;

Which was read.

Amendment No. 1 to Senate bill No. 130:

Amend Senate bill No. 130 by adding the following: Provided, that after one year one-third of the assessed tax-paying citizens and guardians of minors owning property in the block or square in which the dramshop is to be kept may sign a petition asking that the petition be revoked, and upon such petition being filed with the proper authority the dramshopkeeper shall be required to procure and file a new petition as provided in the first instance;

Which was read first and second times and agreed to.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 141, entitled

An act to amend section 1823, article 2, chapter 15, Revised Statutes of 1899, entitled "Offenses against the lives and persons of individuals,"

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendment;

Which was read.

Amendment No. 1 to Senate bill No. 141:

Amend Senate bill No. 141 by striking out of line 7 of printed bill the word "first" and insert in lieu thereof the word "second;"

Which was read first and second times and agreed to.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the three following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 148, entitled

An act to prevent the issuance of life insurance upon persons under the age of fifteen (15) years, and to provide a penalty therefor,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 192, entitled

An act to provide for the licensing and taxation of buffet, cafe, special, parlor, dining and hotel cars, and to regulate the sale of intoxicating liquors thereon,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 207, entitled

An act to punish the crime of stealing or maliciously removing jour-

nal bearings, fixtures or attachments from locomotives, tenders, freight or passenger cars,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the two following reports:

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred House bill No. 80, entitled

An act to amend sections 3994 and 4001 of article 7, chapter 43, Revised Statutes of Missouri, 1899, entitled "Justices Courts," and relating to juries and the number necessary to concur in order to render a verdict in justices courts,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred House bill No. 35, entitled

An act to amend section four thousand one hundred and thirty-two (4132), chapter 44 of the Revised Statutes of 1899, relating to landlords and tenants,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senate bill No. 244, entitled

An act entitled "An act to prevent the stealing of domestic fowls,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 245, entitled

An act to repeal section 3244 of chapter 27, article one of the Revised Statutes of the State of Missouri of 1899, entitled "Salaries and fees," and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Retrenchment, Reform, Fees and Salaries and Criminal Costs.

Senate bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States Fish Hatchery at Neosho, Mo., and ceding jurisdiction over the same,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate bill No. 247, entitled

An act to regulate the charges of telegraph companies,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide for the organization and government of such consolidated districts, with an emergency clause,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 249, entitled

An act relating to stock pens at railroad stations,

Was taken up, read second time, and referred to Committee on Railroad and Internal Improvements.

Senate joint and concurrent resolution No. 6,

Joint and concurrent resolution to amend the Constitution by repealing section 14 of article 10 of the Constitution and adopting in lieu thereof a new section; and repealing all parts of the Constitution in conflict therewith,

Was taken up, read second time, and referred to Committee on Constitutional Amendments.

House bill No. 68, entitled

An act to amend chapter 12, article 8, Revised Statutes of Missouri, 1899, by adding a new section preventing bank officials from using the funds of bank and providing a penalty therefor,

Was taken up and read first time.

House bill No. 73, entitled

An act to prevent any person, corporation or company, superintendent or foreman of men from suspending temporarily or dismissing permanently any laborer or employe, on account of such laborer or employe being a member of or belonging to any labor union or organization of any kind,

Was taken up and read first time.

House bill No. 122, entitled

An act to amend chapter 110, Revised Statutes of 1899 by adding a new section thereto, known as section 7503b, relating to geology and mineralogy—new section as to duties of State Geologist,

Was taken up and read first time.

House bill No. 154, entitled

An act to repeal section 4789, article 2, chapter 69, Revised Statutes of 1899, relating to restraining animals from running at large and to enact a new section in lieu thereof,

Was taken up and read first time.

House bill No. 198, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor, and notice thereof, and for the form of ballots, and to provide for the payment of such bonds and for the levying of tax therefor and declaring an emergency,

Was taken up and read first time.

House bill No. 253, entitled

An act amending section 3285 of article II of chapter 27 of the Revised Statutes of Missouri of 1899, relating to salary of certain officers,

Was taken up and read first time.

House bill No. 28, entitled

An act entitled "An act to amend chapter 86 of the Revised Statutes of Missouri of 1899, relating to burial grounds, by adding a new section thereto, to be known as section 5217a,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 149, entitled

An act to amend section 1584 of article 1, chapter 14, Revised Statutes of Missouri, 1899, entitled "Courts of record," and relating to the general powers and duties of such courts.

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 128, entitled

An act to amend section 2997, chapter 22 of the Revised Statutes of Missouri, 1899, entitled "Dramshops, Excise Commissioner and local option,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 173, entitled

An act to repeal section 8828, chapter 133, article 2 of the Revised Statutes of 1899 of the State of Missouri, relating to safety and inspection of mines, and to enact a new section in lieu thereof, relating to safety and inspection of mines,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House bill No. 181, entitled

An act to amend section fifty-eight hundred and thirty-six (5836), article four (4), chapter ninety-one (91) of the Revised Statutes of Missouri, 1899,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 196, entitled

An act to amend article 2 of chapter 43 of the Revised Statutes of 1899, by adding a new section thereto, relating to the jurisdiction of justices of the peace,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

House bill No. 221, entitled

An act to amend section 3500 of chapter 34 of Revised Statutes of Missouri of 1899, entitled "Guardians and curators,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902,

Was taken up, read second time, and referred to Committee on Appropriations.

Joint and concurrent resolution No. 5, entitled

Senate joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State Treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to provide for the issuing of additional certificates; and to provide for the payment of the interest thereon,

Was taken up, read second time, and referred to Committee on Constitutional Amendments.

Senator Collins called up Senate bill No. 71 and moved that it be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 71, entitled

An act to regulate the salary and fees of the office of the recorder of deeds; and the number of and the salary and compensation of deputy recorder of deeds and clerks and copyists employed in said office in cities now having or which hereafter may have three hundred thousand inhabitants or more; and to provide for the payment of the salaries and compensation of the recorder of deeds, deputy recorder of deeds and clerks and copyists in said office of recorder of deeds,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Erabelle, | Martin,     | Stubbs,    |
| Bradley,  | Farris,   | Morton,     | Tandy,     |
| Clay,     | Heather,  | Ramp,       | Thomas,    |
| Collins,  | Jewell,   | Rubey,      | Walker,    |
| Costello, | Lee,      | Schoenlaub, | Whaley—22. |
| Dowell,   | Marshall, |             |            |

NAYS—Senators

|                            |         |             |           |
|----------------------------|---------|-------------|-----------|
| Matthews,                  | Smith,  | Sullivan—3. |           |
| Absent with leave—Senators |         |             |           |
| Clarke,                    | Fields, | Orchard,    | Zevely—7. |
| Davison,                   | Haynes, | Rollins,    |           |
| Sick—Senator Cooper—1.     |         |             |           |

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Marshall,   | Stubbs,    |
| Bradley,  | Drabelle, | Martin,     | Tandy,     |
| Clay,     | Farris,   | Morton,     | Thomas,    |
| Collins,  | Heather,  | Rubey,      | Walker,    |
| Cooper,   | Jewell,   | Schoenlaub, | Whaley—22. |
| Costello, | Lee,      |             |            |

NAYS—Senators

|                            |         |             |           |
|----------------------------|---------|-------------|-----------|
| Matthews,                  | Smith,  | Sullivan—3. |           |
| Absent with leave—Senators |         |             |           |
| Clarke,                    | Fields, | Orchard,    | Rollins,  |
| Davison,                   | Haynes, | Ramp,       | Zevely—8. |

The title to the bill read and agreed to.

Senator Bradley moved that the vote by which Senate bill No. 71 was passed be reconsidered.

Senator Costello moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 50 was ordered engrossed and printed.

Senate bill No. 51 was ordered engrossed and printed.

Senate bill No. 52 was taken up.

On motion of Senator Clay, Senate bill No. 52 was indefinitely postponed.

Senate bill No. 132 was ordered engrossed and printed.

Senate bill No. 146 was ordered engrossed and printed.

Senate bill No. 167 was ordered engrossed and printed.

Senate bill No. 185 was ordered engrossed and printed.

Senate bill No. 213 was ordered engrossed and printed.

Senate bill No. 228 was ordered engrossed and printed.

Senate bill No. 241 was ordered engrossed and printed.

Senator Drabelle moved that the rules be suspended and that Senate bill No. 68 be taken up.

The motion prevailed.

Senate bill No. 68 was taken up.

Senator Drabelle moved that the bill be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have or which may hereafter have over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses and prescribing penalties for violating the provisions of this act,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Biggs,   | Costello, | Jewell,  | Schoenlaub, |
| Bradley, | Davisson, | Lee,     | Stubbs,     |
| Clarke,  | Dowell,   | Martin,  | Tandy,      |
| Clay,    | Drabelle, | Morton,  | Thomas,     |
| Collins, | Farris,   | Orchard, | Walker,     |
| Cooper,  | Heather,  | Rubey,   | Whaley—24.  |

NAYS—Senators

|                            |           |             |           |
|----------------------------|-----------|-------------|-----------|
| Matthews,                  | Ramp,     | Sullivan—3. |           |
| Absent with leave—Senators |           |             |           |
| Fields,                    | Marshall, | Smith,      | Zevely—6. |
| Haynes,                    | Rollins,  |             |           |

The title to the bill was read and agreed to.

Senator Collins moved that the vote by which Senate bill No. 68 was passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 20 was taken up and laid over informally.

House bill No. 24 was taken up.

Senator Walker moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 24, entitled

An act to amend section 2759 of article 12, relating to proceedings before justices in misdemeanors of chapter 16, entitled "Practice and proceedings in criminal cases of the Revised Statutes of Missouri of 1899,

Was read third time, placed upon its passage and passed by the following vote:

YEAS—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Biggs,    | Davisson, | Jewell,  | Schoenlaub, |
| Bradley,  | Dowell,   | Martin,  | Stubbs,     |
| Clarke,   | Drabelle, | Morton,  | Tandy,      |
| Clay,     | Farris,   | Orchard, | Thomas,     |
| Collins,  | Fields,   | Ramp,    | Walker,     |
| Cooper,   | Heather,  | Rubey,   | Whaley—25.  |
| Costello, |           |          |             |

NAYS—Senators

|                            |             |        |           |
|----------------------------|-------------|--------|-----------|
| Matthews,                  | Sullivan—2. |        |           |
| Absent with leave—Senators |             |        |           |
| Haynes,                    | Marshall,   | Smith, | Zevely—6. |
| Lee,                       | Rollins,    |        |           |

The title to the bill read and agreed to.

Senator Walker moved that the vote by which House bill No. 24 was passed be reconsidered.

Senator Whaley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 61 was taken up and laid over informally.

House bill No. 125 was taken up.

Senator Clarke moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 125, entitled

An act to amend section 13 of the act creating the criminal court of Jackson county, relating to changes of venue in said court,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Davisson, | Lee,      | Rubey,      |
| Bradley,  | Dowell,   | Marshall, | Schoenlaub, |
| Clarke,   | Drabelle, | Martin,   | Stubbs,     |
| Clay,     | Farris,   | Matthews, | Sullivan,   |
| Collins,  | Fields,   | Morton,   | Tandy,      |
| Cooper,   | Heather,  | Orchard,  | Thomas,     |
| Costello, | Jewell,   | Ramp,     | Walker—28.  |

NAYS—None.

Absent with leave—Senators

|          |        |         |           |
|----------|--------|---------|-----------|
| Haynes,  | Smith, | Whaley, | Zevely—5. |
| Rollins, |        |         |           |

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Schoenlaub, |
| Bradley,  | Drabelle, | Martin,   | Stubbs,     |
| Clarke,   | Farris,   | Matthews, | Sullivan,   |
| Clay,     | Fields,   | Morton,   | Tandy,      |
| Collins,  | Heather,  | Orchard,  | Thomas,     |
| Cooper,   | Jewell,   | Ramp,     | Walker,     |
| Costello, | Lee,      | Rubey,    | Whaley—29.  |
| Davisson, |           |           |             |

NAYS—None.

Absent with leave—Senators

|         |          |        |           |
|---------|----------|--------|-----------|
| Haynes, | Rollins, | Smith, | Zevely—4. |
|---------|----------|--------|-----------|

The title to the bill was read and agreed to.

Senator Clarke moved that the vote by which House bill No. 125, together with the emergency clause passed, be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

The President announced the reception from the House of Representatives of enrolled House bill No. 227, entitled

An act to appropriate money for the State sinking fund to be used in the redemption and purchase of State bonds during the years 1901 and 1902;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Senate enrolled bill No. 17, entitled

An act to repeal section 2862 of article 15 of chapter 16 of Revised Statutes of 1899, entitled "Costs in criminal cases,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 9, entitled

An act to prevent frauds between attorneys, clients and defendants; making agreements between attorney and client a lien upon the cause of action,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Rubey offered the following resolution:

Resolved, That the Secretary of the Senate be directed to acknowledge receipt of the invitation of the mayor and citizens of Columbia to visit Columbia and the State University on Saturday next; that he extend the thanks of the Senate for their courteous invitation and say that this body accepts the same;

Which was read.

Senator Farris offered the following amendment to the resolution offered by Senator Rubey:

Amend the resolution by striking out the words "and say they accept the same;"

Read and agreed to.

The question recurring on the resolution, as amended,  
The resolution was adopted.

Senator Orchard called up Senate bill No. 107 and by the consent of the Senate, withdrew pending amendment No. 2.

Senator Orchard offered the following amendment No. 3:

Amendment No. 3 to Senate bill No. 107:

Amend Senate bill No. 107 as follows: By striking out the words "except in cities of two hundred thousand and upwards," in lines 2 and 3, in section 1 of printed bill, and insert the following in lieu thereof, "containing two or more counties;"

Which was read first and second times and agreed to.

Senator Orchard offered the following amendment No. 4 to Senate bill No. 107:

Amendment No. 4 to Senate bill No. 107:

Amend Senate bill No. 107 by striking out the words "except in cities of two hundred thousand and upwards," in line 3 of section 2 of printed bill, and insert in lieu thereof the words "containing two or more counties;"

Read first and second times and agreed to.

Senator Orchard moved that the bill, as amended, be ordered engrossed and printed.

The motion prevailed.

The President called Senator Drabelle to the chair.

Senator Morton introduced Senate bill No. 264, entitled

An act to create the office of Excise Commissioner in counties which now have or may hereafter have a population of 175,000 or more, and to provide for the appointment and define the duties of such commissioner;

Read first time and 150 copies ordered printed.

Senator Lee moved that the President of the Senate appoint a member of Committee on Apportionment to fill the vacancy caused by the death of Senator Martin of St. Louis.

The motion prevailed.

The President made the following announcement:

Committee of two Senators to draft resolution in memory of Gen. B. M. Prentiss to co-operate with a committee from the House:

Senators Davisson, Drabelle;

Which was read.

On motion of Senator Walker, the Senate went into executive session.

Regular session resumed.

On motion of Senator Martin, the Senate adjourned until 10 a. m. tomorrow.

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### THIRTY-THIRD DAY—Friday, February 15, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Drabelle introduced joint and concurrent resolution No. 8, Submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri;

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate joint and concurrent resolution No. 9,

Submitting to the qualified voters an amendment to the Constitution of Missouri repealing section 22, article IX (nine) and enact a new section in lieu thereof:

Read first time and 150 copies ordered printed.

Senator Drabelle introduced Senate joint and concurrent resolution No. 10,

Submitting to the qualified voters of the State an amendment to section 12, article X (ten) of the Constitution of Missouri;

Read first time and 150 copies ordered printed.

Senator Matthews introduced Senate bill No. 265, entitled

An act authorizing each one of the judges of the Supreme Court and of the St. Louis and Kansas City Courts of Appeals to appoint a clerk;

Read first time and 150 copies ordered printed.

Senator Whaley, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments and Federal Relations, to which was referred Senate bill No. 48, entitled

An act providing for the time when a vote of the people of this State shall be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State, providing for the place of meeting of convention, eligibility of members thereof, and form of ballot,

Begs leave to report that it has examined the same and recommends the adoption of the accompanying substitute;

Which was read.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submitted the four following reports:

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 80, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license and to provide penalties for the violation thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 81, entitled

An act creating a State Board of Health, and repealing article one, chapter III of the Revised Statutes of 1899,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 145, entitled

An act to establish the Missouri General Hospital, and to provide for its regulation, equipment and conduct or management and appropriating money to purchase a site and to build said Missouri General Hospital,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred committee substitute for House bill No. 4, entitled

An act to amend sections 5064 and 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Clay, from the Committee on Labor, Mines and Manufactories, submitted the following report:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 22, entitled

An act to provide for a Board of Arbitration and Conciliation for the settlement of differences between employers and employes,  
Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the ten following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 67, entitled

An act authorizing assessors of certain counties adjacent to cities having a population of three hundred thousand inhabitants or more to issue permits for the erection or alteration of buildings;

Also, Senate bill No. 78, entitled

An act authorizing the erection of a new Supreme Court building, creating a commission to have charge of such erection, and making an appropriation to carry the act into effect;

Also, Senate bill No. 157, entitled

An act entitled "An act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State seminary moneys;"

Also, Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children;

Also, Senate bill No. 164, entitled

An act to amend section 2696, article 10, chapter 16 of the Revised Statutes of 1899, relating to appeals in criminal cases;

Also, Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict therewith;

Also, Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled "Fees;"

Also, Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred and fifty thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof;

Also, Senate bill No. 206, entitled

An act to amend sections 995 and 997 of article 1, chapter 12 of the Revised Statutes of Missouri of 1899, relating to the service of summons in actions against corporations and where the same may be instituted and prosecuted;

Also, Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants by inserting between the words "hundred" and "thousand," in the second line of said section, the words "and fifty,"

Begs leave to report that it has compared the same and finds them

to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Marshall, from the Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains, submitted the following report.

Mr. President: Your Committee on Township Organization, Swamp Lands, Ditches and Drains, to which was referred Senate bill No. 134, entitled

An act to amend section 8287, Revised Statutes of Missouri, 1899, relating to lands, by adding thereto a provision authorizing appeal in certain cases,

Begs leave to refer it back to the Senate at request of its introducer, Senator Drabelle.

Which was read.

On motion of Senator Drabelle, Senate bill No. 134 was indefinitely postponed.

Senator Rubey, from the Committee on Appropriations, submitted the three following reports:

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 168, entitled

An act authorizing and directing the State Treasurer to transfer moneys from the University endowment tax fund to the general revenue fund,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 124, entitled

An act to authorize the repayment of certain funds heretofore paid into the State Treasury to create a State University scholarship fund,

Begs leave to report that it has examined the same and recommends that it do not pass.

Which were read.

Senator Farris moved that Senate bill No. 124, be re-referred to the Committee on Judiciary.

The motion prevailed.

Senators Haynes and Cooper granted leave of absence.

Senator Fields, from the Committee on Fire, Marine and Tornado Insurance, submitted the four following reports:

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 39, entitled

An act to amend section 8012, Revised Statutes of Missouri of 1899, entitled "Insurance," by adding a provision thereto,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 173, entitled

An act to amend section 7969, Revised Statutes of Missouri, 1899,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 174, entitled

An act to amend section 7962, Revised Statutes of Missouri, 1899,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 175, entitled

An act authorizing local fire insurance agents to make schedule for rating,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendment;

Which were read.

Amendment No. 1 to Senate bill No. 175:

Amend by striking out section 2 and inserting the following in lieu thereof:

Section 2. This act shall not in any manner repeal or modify section 8965 of the Revised Statutes for 1899, except to permit local fire insurance agents to exercise the privilege defined in section one of this act;

Read first and second times and agreed to.

Senator Clay, from the Committee on Labor, Mines and Manufactories, submitted the following report:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 119, entitled

An act to provide for the appointment of a factory inspector and defining his term of service, salary, powers and duties,

Begs leave to report that it has examined the same and recommends that the accompanying committee substitute do pass;

Which was read.

(Amendment No. 1 not to be found.)

Senator Tandy introduced Senate bill No. 266, entitled

An act to amend section 4778 of chapter 60, article II of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large;"

Read first time and 150 copies ordered printed.

Senator Lee (by request) introduced Senate bill No. 267, entitled

An act to amend section 7746, article 4, chapter 118 of the Revised Statutes of Missouri for the year 1899, entitled "Salaries;"

Read first time and 150 copies ordered printed.

Senator Lee introduced Senate bill So. 268, entitled

An act to amend section 9560, article 6, chapter 151 of the Revised Statutes of Missouri of 1899, by striking out certain words and figures therefrom;

Read first time and 150 copies ordered printed.

Senator Morton (by request) introduced Senate bill No. 269, entitled

An act to amend section 7071, article 1, chapter 102, entitled "Elections;"

Read first time and 150 copies ordered printed.

Senator Dowell offered the following resolution:

"Resolved, That the Committee on Accounts be and are hereby authorized to audit and pay all the necessary and legitimate expenses incurred in the funeral and burial of our late colleague, Hon. Thos. C. Martin, deceased;"

Which was read and adopted.

Senate joint and concurrent resolution No. 7, entitled

Senate joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution concerning the revenue and taxation,

Was taken up, read second time, and referred to Committee on Constitutional Amendments and Federal Relations .

Senate bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 252, entitled

An act to regulate the operation and to limit the rate of passenger fare of street railways in cities now having and which may hereafter have one hundred thousand inhabitants and over,

Was taken up, read second time, and referred to Committee on Private Corporations.

House bill No. 68, entitled

An act to amend chapter 12, article 8, Revised Statutes of Missouri, 1899, by adding a new section preventing bank officials from using the funds of bank and providing a penalty therefor.

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence. .

House bill No. 73, entitled

An act to prevent any person, corporation or company, superintendent or foreman of men from suspending temporarily or dismissing permanently any laborer or employe, on account of such laborer or employe being a member of or belonging to any labor union or organization of any kind,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 198, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor, and notice thereof, and for the form of ballots, and to provide for the payment of such bonds and for the levying of tax therefor and declaring an emergency,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 122, entitled

An act to amend chapter 110, Revised Statutes of 1899, by adding

a new section thereto, known as section 7503b, relating to geology and mineralogy—new section as to duties of State Geologist,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House bill No. 154, entitled

An act to repeal section 4789, article 2, chapter 69, Revised Statutes of 1899, relating to restraining animals from running at large and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 253, entitled

An act amending section 3285 of article II of chapter 27 of the Revised Statutes of Missouri of 1899, relating to salary of certain officers,

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs.

Senate joint and concurrent resolution No. 2 was taken up.

Senator Rollins offered the following amendment:

Amendment No. 1 to Senate joint and concurrent resolution No. 2:

Amend joint and concurrent resolution No. 2 by striking out "public educational purposes," in place thereof insert "public schools of this State;"

Which was read.

Roll call demanded.

The amendment was lost by the following vote:

YEAS—Senators

Davissou,  
Dowell,  
Farris,

Jewell,  
Matthews,  
Orchard,

Rollins,  
Smith,  
Sullivan,

Tandy,  
Zevely—11.

NAYS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Costello,

Fields,  
Heather,  
Lee,  
Marshall,

Martin,  
Morton,  
Ramp,  
Rubey,

Stubbs,  
Thomas,  
Walker,  
Whaley—17.

Absent with leave—Senators

Collins,

Drabelle,

Haynes,

Schoenlaub—4.

Sick—Senator Cooper—1.

Senator Dowell offered the following amendment:

Amendment No. 2 to joint and concurrent resolution No. 2:

Strike out word "five" in line 16 of printed bill, and insert in lieu thereof the word "twenty;"

Which was read.

Roll call demanded.

The amendment was lost by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Davissou,  
Dowell,

Drabelle,  
Jewell,  
Matthews,  
Orchard,

Rollins,  
Smith,  
Sullivan,

Tandy,  
Whaley,  
Zevely—14.

NAYS—Senators

Clarke,  
Clay,  
Costello,  
Farris,

Fields,  
Heather,  
Lee,  
Marshall,

Martin,  
Morton,  
Rubey,

Stubbs,  
Thomas,  
Walker—14.

Absent with leave—Senators

Collins,

Haynes,

Ramp,

Schoenlaub—4.

Sick—Senator Cooper—1.

Senator Rubey moved that Senate joint and concurrent resolution No. 2 be engrossed and printed.

Roll call demanded.

Resolution was lost by the following vote:

YEAS—Senators

|  |                            |                              |                                  |
|--|----------------------------|------------------------------|----------------------------------|
| Clarke,<br>Clay,<br>Farris,<br>Fields, | Jewell,<br>Lee,<br>Martin, | Morton,<br>Rubey,<br>Stubbs, | Thomas,<br>Walker,<br>Zevely—13. |
|--|----------------------------|------------------------------|----------------------------------|

NAYS—Senators

|  |   |  |   |
|--|---|--|---|
| Biggs,<br>Bradley,<br>Costello,<br>Davisson, | Dowell,<br>Drabelle,<br>Heather,<br>Marshall, | Matthews,<br>Orchard,<br>Ramp,<br>Rollins, | Smith,<br>Sullivan,<br>Tandy,<br>Whaley—16. |
|--|---|--|---|

|  |         |               |
|--|---------|---------------|
| Absent with leave—Senators<br>Collins, | Haynes, | Schoenlaub—3. |
|--|---------|---------------|

Sick—Senator Cooper—1.

Senator Morton moved that when the Senate adjourned it be to meet at 3 p. m. Monday next.

The motion prevailed.

Senator Jewell moved that 100 copies of committee substitute to Senate bill No. 48 be printed.

The motion prevailed.

Senate bill No. 130 was taken up.

Senator Davisson offered the following amendment:

Amendment No. 2 to Senate bill No. 130:

Amend Senate bill No. 130 by striking out all after the enacting clause and insert the following:

Section 1. Section 2997 of article 1, chapter 22 of the Revised Statutes of 1899, entitled "Dramshops," is hereby repealed and the following new section enacted in lieu thereof:

Sec. 2997. No License to be Granted Without Petition.—It shall not be lawful for any County Court in this State, or clerk thereof in vacation, or any other authority to grant any license to keep a dramshop in any town or city containing two thousand inhabitants or more, until a majority of the assessed tax-paying citizens and guardians of minors owning (real and personal) property, in the block or square in which the dramshop is to be kept (and on the other side of the street, alley, road or other highway in the block or square opposite or adjacent to that wherein such dramshop is to be kept) shall sign a petition (personally or by attorney in fact duly authorized in writing) asking for such license to keep a dramshop in such block or square in such town or city (and acknowledge the same in the manner provided for the acknowledgment of conveyances or real estate, and all such letters or powers of attorney shall be attached to said petition); nor in any city containing less than two thousand inhabitants, nor in any incorporated town or municipal township, until a majority, both of the assessed tax-paying citizens and guardians of minors owning property therein, in the block or square in which the dramshop is to be kept, shall sign a petition asking for such license to keep a dramshop therein; which said petition shall be presented to the county court or other authority; and all dramshop licenses issued to the provisions of this section shall be void: Provided, said petition shall be in force and effect for a period of one year from the date of the granting of the first license thereon and no longer, and no license shall continue in force longer than the petition upon which it is granted: Provided, no minor shall be counted on said petition (for) or against said petition; (and provided, further, that every subdivision of any lot, tract or parcel of land made by any owner of real estate for the purpose of increasing the number of such property owners shall be void for the purposes of this article).

Sec. 2997a. After the said petition shall have been presented to the County Court or other authority, the said County Court or authority shall set the same down for hearing at a time not less than 10 days thereafter, and notice in writing thereof shall be given to all the property owners in said block or square and the adjacent block thereto, by mail postpaid, and the entry in the record of said County Court or other authority that such notice has been sent shall be deemed to be prima facie evidence of such mailing and the receipt thereof by the said property owners; and at said hearing on said petition said property owners and any other persons interested shall have the right to be heard in person or by attorney or agent. Said County Court or other authority shall have the same authority to administer oaths and issue subpoenas for witnesses as is vested in courts of record in this State, and said hearing and other proceedings shall be conducted in the same manner as causes in courts of justices of the peace in this State.

Sec. 2997b. An appeal may be taken from the decision or judgment of said County Court or other authority by the applicant or any property owner or other person aggrieved thereby to the Circuit Court of the judicial district in which said application for license was heard, in the same manner provided by law for appeals from justices of the peace to Circuit Courts that the appeal bond shall be only for the costs accrued and the costs of the appeal; and the same proceeding shall be had in said matter in all respects

in said Circuit Court as in cases appealed from the justices of the peace thereto, and all the laws applicable to cases appealed from justices of the peace to the Circuit Court shall apply to and govern such appeals and the appeal by any property owner or other person interested and giving of bond shall act as and be supersedeas, and no license shall issue or be issued while such appeal is pending and undisposed of: Provided, that after one year one-third of the assessed tax-paying citizens and guardians of minors owning property in the block or square in which the dramshop is to be kept may sign a petition asking that the petition be revoked, and upon such petition being filed with the proper authority the dramshop keeper shall be required to procure and file a new petition as provided in the first instance.

Which was read, and 150 copies ordered printed.

Senate bill No. 130 with the amendment was laid over informally.

Senate bill No. 141 was ordered engrossed and printed.

Senate bill No. 148 was ordered engrossed and printed.

Senate bill No. 192 was ordered engrossed and printed.

Senate bill No. 207 was laid over informally.

Senator Tandy, from the Committee on Engrossed Bills, submitted the five following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 101, entitled

An act amending chapter 15, article 8, Revised Statutes of 1899, by adding a new section thereto, to be known as section 2269a;

Also, Senate bill No. 170, entitled

An act to repeal section 8043 of article 8, chapter 119, of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 8043;

Also, Senate bill No. 195, entitled

An act to provide for an annual accounting to policy holders in mutual life insurance companies, and to regulate the distribution of profits or surplus;

Also, Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State;

Also, Senate bill No. 222, entitled

An act to amend section 2996 of article 1, chapter 22 of the Revised Statutes of 1899, relating to the license tax on dramshops,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

On motion of Senator Clay, the Senate went into executive session. Regular session resumed.

On motion of Senator Fields, Senate adjourned until 3 p. m. Monday, February 18, 1901.

### THIRTY-FOURTH DAY—Monday, February 18, 1901.

The Senate met pursuant to adjournment.

The President Pro Tem. Farris in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

The following communications were received from the House of Representatives through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

Joint and concurrent resolution No. 2, entitled

An act to amend section 8 of article 9 of the Constitution of the State of Missouri, pertaining to township organization;

Also, House bill No. 146, entitled

An act to amend section 10511 of the Revised Statutes of 1899, relating to the board of visitors of the State University;

Also, House bill No. 70, entitled

An act to amend section 7091, of article 2, chapter 102, Revised Statutes of Missouri, 1899, relating to elections;

Also, House bill No. 224, entitled

An act entitled an act to amend chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Corporation, private," by repealing section 1194 of said Revised Statutes, being part of article 4, of said chapter concerning the regulations of freight charges, and to enact in lieu thereof a new section;

Also, committee substitute for House bill No. 65, entitled

An act to apportion the State of Missouri into representative districts thereof;

Also, House bill No. 13, entitled

An act to prevent persons and corporations from working laborers under ground more than eight hours in a day, and fixing eight hours as a day for such laborers;

Also, Senate bill No. 109, entitled

An act to create the office of pardon attorney; to provide for his appointment; tenure of office; removal therefrom, and for filling vacancy; defining his duties and fixing his compensation, with two House amendments;

Also, committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, entitled

An act to repeal sections 9427, 9432, 9436 and 9437, article 1, chapter 151, Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 9427, 9432, 9436 and 9437;

Also, House bill No. 155, entitled

An act to repeal section 9084, chapter 147, article 4, of the Revised Statutes of the State of Missouri in relation to surplus fees of recorder of deeds and enacting in lieu thereof a new section, to be known as section 9084;

Also, House bill No. 120, entitled

An act to fix the liability of railroad and other corporations for damages done by them or their contractors in the construction of railroads, in which the concurrence of the Senate is respectfully requested.

Senator Smith presented a petition from the citizens of St. Louis asking for the passage of a compulsory education law;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Smith presented a petition from citizens of St. Louis asking for the passage of an anti-cigarette law;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Tandy presented a petition from the citizens of Newton county asking for the passage of a compulsory education law;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Clarke presented a petition from the citizens of Kansas City asking for the passage of an anti-cigarette law ;

Which was read and referred to the Committee on Criminal Jurisprudence.

Senator Ramp presented a petition from citizens of Polk and Bates counties asking for the passage of a compulsory education law ;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Walker presented a petition from the citizens of Knobuoster asking for the passage of an anti-cigarette law ;

Which was read and referred to the Committee on Criminal Jurisprudence.

Senator Walker presented a petition from citizens of Cass county asking for the passage of a compulsory education law ;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Davisson presented petitions from citizens of Harrison, also of Cole, Osage and Moniteau counties, requesting the passage of a law requiring children of sound mind between the ages of six and 14 years to attend school a part of each year ;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Jewell presented a petition from citizens of Kansas City and Jackson county asking for the passage of a compulsory education law ;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Clay presented a petition from the citizens of St. Francois county asking for the passage of a compulsory education law ;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Lee presented a petition from the citizens of Butler, Wayne, Stoddard and St. Francois counties asking for the passage of a compulsory education law ;

Which was read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Sullivan introduced joint and concurrent resolution No. 11,

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the right of local self-government ;

Read first time and 150 copies ordered printed.

Senator Clarke introduced Senate bill No. 270, entitled

An act to create the office of a board of excise commissioners in counties having a population of 150,000 or more and less than 300,000 to provide for the election and appointment, and define the duties, and compensation of such commissions ;

Read first time and 150 copies ordered printed.

Senator Lee introduced Senate bill No. 271, entitled

An act to create the office of Excise Commissioner in counties which now have or may hereafter have an assessed valuation of fifteen million dollars or more, and which now have or may hereafter have within their limits or adjoining their boundary a city having a population of three hundred thousand or more;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 272, entitled

An act to repeal section 8818 of article 2, chapter 133 of Revised Statutes of Missouri of 1899, and to enact a new section, to be known as section 8818, relating to health and safety of miners; report to the Governor report of operators to the inspectors;

Read first time and 150 copies ordered printed.

Senator Clay introduced Senate bill No. 273, entitled

An act to repeal section 8811 of article 2, chapter 133 of Revised Statutes State of Missouri of 1899, and to enact a new section, to be known as section 8811, relating to signaling, hoisting, certain minors not to work, etc.;

Read first time and 150 copies ordered printed.

Senator Rollins introduced (by request) Senate bill No. 274, entitled

An act to regulate the sale of cocaine and of preparations containing cocaine;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 275, entitled

An act to amend section 3020 of the Revised Statutes of Missouri of 1899, relating to the granting dramshop licenses in cities of two hundred thousand inhabitants or over, by authorizing the transfer of said licenses, and by adding a new section to said act, to be known as section 3026a;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the ten following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 50, entitled

An act to repeal section 8861, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Certain persons declared to be peddlers," and enact a new section in lieu thereof, to be known as section 8861;

Also, Senate bill No. 107, entitled

An act entitled an act—Attorney General, circuit and prosecuting attorney;

Also, Senate bill No. 132, entitled

An act entitled "An act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy, and to enact a new section, relating to the same subject, to be known as section 7502a, with an emergency clause;

Also, Senate bill No. 146, entitled

An act to provide for the inspection of gas meters and illuminating gas in all cities of the State now having or which may hereafter have a population of fifty thousand inhabitants or over; authorizing the appointment of inspectors in and for such cities; defining their powers and duties, and prescribing penalties for its violation;

Also, Senate bill No. 167, entitled

An act to amend section 1855, article 2, chapter 15 of the Revised Statutes of 1899, relating to crimes and punishments;

Also, Senate bill No. 51, entitled

An act to amend section 8867, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Rate of tax on peddler's license;"

Also, Senate bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13th, 1867," as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b;

Also, Senate bill No. 213, entitled

An act to re-enact section 2303 and section 2304 of the Revised Statutes of Missouri, 1899, entitled "Destruction of certain birds prohibited;

Also, Senate bill No. 228, entitled

An act to amend section 5937 of article 5, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Cities of the fourth class;"

Also, Senate bill No. 241, entitled

An act to require all corporations, companies and associations engaged in gathering and furnishing news for newspaper publication, publishers and other publications to furnish to all newspapers and publications on equal terms.

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Which were read.

Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled "Institutions, eleemosynary,"

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 253, entitled

An act to further regulate the practice of law,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 101 was taken up and laid over informally.

Senate bill No. 125 was taken up and laid over informally.

Senate bill No. 170 was taken up and laid over informally.

Senate bill No. 195 was taken up and laid over informally.

Senate bill No. 222, entitled

An act to amend section 2996 of article 1, chapter 22 of the Revised Statutes of 1899, relating to the license tax on dramshops,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Clarke,  
Clay,  
Collins,  
Costello,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Heather,  
Jewell,  
Lee,  
Martin,

Matthews,  
Morton,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley—24.

## NAYS—Senators

|                            |           |           |
|----------------------------|-----------|-----------|
| Biggs,                     | Davisson, | Tandy—3.  |
| Absent with leave—Senators |           |           |
| Bradley,                   | Marshall, | Orchard,  |
| Haynes,                    |           | Zevely—5. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Ramp moved that the vote by which Senate bill No. 222 passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 67, entitled

An act authorizing assessors of certain counties adjacent to cities having a population of three hundred thousand inhabitants or more to issue permits for the erection or alteration of buildings,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Tandy,     |
| Collins,  | Heather,  | Rubey,      | Thomas,    |
| Costello, | Lee,      | Schoenlaub, | Walker,    |
| Davisson, | Martin    | Smith,      | Whaley—25. |
| Dowell,   |           |             |            |

NAYS—None.

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Bradley, | Jewell,   | Orchard, | Zevely—7. |
| Haynes,  | Marshall, | Rollins, |           |

Sick—Senator Cooper—1.

The title was read.

Senator Matthews offered the following amendment to the title: Amendment to title of Senate bill No. 67:

Amend title by striking out “or alteration,” between the words “erection” and “of;”

Amendment to title read first and second times and agreed to.

Title, as amended, was read and agreed to.

Senator Matthews moved to reconsider the vote by which the bill passed.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 157 was taken up and laid over informally.

Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Tandy,     |
| Collins,  | Heather,  | Rubey,      | Thomas,    |
| Costello, | Lee,      | Schoenlaub, | Walker,    |
| Davisson, | Martin,   | Smith,      | Whaley—25. |
| Dowell,   |           |             |            |

NAY—Senator Rollins—1.

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Bradley, | Jewell,   | Orchard, | Zevely—2. |
| Haynes,  | Marshall, |          |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clay moved to reconsider the vote by which Senate bill No. 160 was passed.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 78 was taken up and laid over informally.

Senate bill No. 164, entitled

An act to amend section 2696, article 10, chapter 16 of the Revised Statutes of 1899, relating to appeals in criminal cases,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Smith,     |
| Clarke,   | Drabelle, | Morton,     | Sullivan,  |
| Clay,     | Farris,   | Ramp,       | Thomas,    |
| Collins,  | Fields,   | Rollins,    | Walker,    |
| Costello, | Lee,      | Rubey,      | Whaley—23. |
| Davisson, | Martin,   | Schoenlaub, |            |

NAYS—Senators

Heather, Tandy—2.

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Bradley, | Jewell,   | Orchard, | Zevely—7. |
| Haynes,  | Marshall, | Stubbs,  |           |

Sick—Senator Cooper—1.

The emergency clause to Senate bill No. 164 was passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Stubbs,    |
| Clarke,   | Farris,   | Ramp,       | Sullivan,  |
| Clay,     | Fields,   | Rollins,    | Thomas,    |
| Collins,  | Lee,      | Rubey,      | Walker,    |
| Costello, | Martin,   | Schoenlaub, | Whaley—23. |
| Davisson, | Matthews, | Smith,      |            |

NAYS—Senators

Dowell, Heather, Tandy—3.

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Bradley, | Jewell,   | Orchard, | Zevely—6. |
| Haynes,  | Marshall, |          |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Sullivan moved to reconsider the vote by which Senate bill No. 164, together with the emergency clause, was passed.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

Senators Cooper and Bradley were granted leave of absence.

Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict therewith.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Stubbs,    |
| Clarke,   | Farris,   | Morton,   | Sullivan,  |
| Clay,     | Fields,   | Ramp,     | Tandy,     |
| Collins,  | Heather,  | Rollins,  | Thomas,    |
| Costello, | Lee,      | Rubey,    | Walker,    |
| Davisson, | Martin,   | Smith,    | Whaley—25. |
| Dowell,   |           |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Bradley, | Jewell,   | Orchard,    | Zevely—7. |
| Haynes,  | Marshall, | Schoenlaub, |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Stubbs,    |
| Clarke,   | Farris,   | Ramp,       | Sullivan,  |
| Clay,     | Fields,   | Rollins,    | Tandy,     |
| Collins,  | Heather,  | Rubey,      | Thomas,    |
| Costello, | Lee,      | Schoenlaub, | Walker,    |
| Davisson, | Martin,   | Smith,      | Whaley—26. |
| Dowell,   | Matthews, |             |            |

NAYS—None.

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Bradley, | Jewell,   | Orchard, | Zevely—6. |
| Haynes,  | Marshall, |          |           |

Sick—Senator Cooper—1.

The title of the bill was read and agreed to.

Senator Martin moved that the vote by which Senate bill No. 181, together with the emergency clause, was passed be reconsidered.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 204 was taken up and laid over informally.

Senate bill No. 206, entitled

An act to amend sections 995 and 997 of article 1, chapter 12 of the Revised Statutes of Missouri of 1899, relating to the service of summons in actions against corporations, and where the same may be instituted and prosecuted,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Farris,  | Matthews,   | Stubbs,    |
| Clarke,   | Fields,  | Morton,     | Sullivan,  |
| Clay,     | Heather, | Ramp,       | Tandy,     |
| Collins,  | Jewell,  | Rollins,    | Thomas,    |
| Costello, | Lee,     | Schoenlaub, | Walker,    |
| Dowell,   | Martin,  | Smith,      | Whaley—25. |
| Drabelle, |          |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |          |           |
|-----------|-----------|----------|-----------|
| Bradley,  | Haynes,   | Orchard, | Zevely—7. |
| Davisson, | Marshall, | Rubey,   |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 206 was passed be reconsidered.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 214 was taken up and laid over informally.

Committee substitute for Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled "Fees,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Tandy,     |
| Collins,  | Heather,  | Pollins,    | Thomas,    |
| Costello, | Jewell,   | Rubey,      | Walker,    |
| Davison,  | Lee,      | Schoenlaub, | Whaley—27. |
| Dowell,   | Martin,   | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Bradley, | Marshall, | Orchard, | Zevely—5. |
| Haynes,  |           |          |           |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Ramp moved that the vote by which committee substitute for Senate bill No. 102 was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senator Jewell (by request) introduced Senate bill No. 276, entitled

An act providing for the registration of voters for primary purposes in all cities and counties in this State which now have or which may hereafter have over one hundred and fifty thousand inhabitants, governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees, defining offenses, and providing penalties for violating the provisions of this act;

Read first time and 150 copies ordered printed.

Senator Costello introduced Senate bill No. 277, entitled

An act to amend sections 7131, 7132, 7138, 7142 and 7144, in article 4, chapter 102 of Revised Statutes of Missouri of 1899;

Read first time and 150 copies ordered printed.

Senator Lee introduced Senate bill No. 278, entitled

An act to repeal sections 9523 and 9524 of article 4 of chapter 151 of the Revised Statutes of Missouri of 1899, entitled "Roads and highways," and to enact two new sections in lieu thereof;

Read first time and 150 copies ordered printed.

On motion of Senator Morton, the Senate adjourned under the rules.

## THIRTY-FIFTH DAY—Tuesday, February 19, 1901.

The Senate met pursuant to adjournment.

President Pro Tem. Farris in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Dowell presented a petition from citizens of Knox and Adair counties, asking for the passage of a compulsory education law;

Read and referred to Committee on Education, Text-Books and Public Schools.

Senator Whaley presented a petition from the citizens of Johnson county asking for the passage of a compulsory education law;

Read and referred to Committee on Education, Text-Books and Public Schools.

Senator Sullivan offered the following resolution:

Whereas, The constitutional limit of 70 days for the session of the Forty-first General Assembly will have elapsed on the twelfth day of March, 1901, and unless there is some limit to the time in which bills may be introduced there will necessarily remain in the hands of the various standing committees, unreported, a great number of bills; which from the lack of time in which to consider them, will remain undisposed of when the day for final adjournment shall have arrived; and,

Whereas, It is a needless, useless and extravagant expenditure of money to permit bills to be introduced and printed so late in the session as not to afford an opportunity for the serious consideration or passage of the same; therefore, be it

Resolved, That no bill shall be introduced later than the fifth day of March, 1901. To the end that all bills introduced prior to the above date may receive a fair, just and deliberate consideration by the committees to which they have been referred, in order that they may be reported back to this body, and by it considered and finally disposed of before the day of final adjournment.

Which was read.

Senator Sullivan moved that the resolution be adopted.

Senator Walker moved to amend the motion by referring the resolution to Committee on Rules.

The latter motion prevailed.

The resolution was referred to Committee on Rules.

Senator Walker (by request) introduced Senate bill No. 279, entitled

An act to repeal section 8563 of chapter 129 of the Revised Statutes of Missouri, 1899, entitled "Merchant's license;"

Read first time and 150 copies ordered printed.

Senator Walker (by request) introduced Senate bill No. 280, entitled

An act to repeal section 3047 of chapter 23 of the Revised Statutes of Missouri, 1899, entitled "Druggists and their license;"

Read first time and 150 copies ordered printed.

Senator Walker (by request) introduced Senate bill No. 281, entitled

An act to amend article one (1), entitled "Dramshops," of chapter 22 of Revised Statutes of 1899, by adding three new sections thereto, to be known as sections 3018a, 3018b and 3018c;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 282, entitled

An act to provide for the election of justices of the peace and constables in cities now having or which hereafter may have 300,000 inhabitants or more, to define the jurisdiction of said justices and the practice in the courts thereof, and the duties of said justices and constables, and fix their term of office; and to repeal article 22, entitled "Justices and constables in cities with 300,000 inhabitants or over," of chapter 91 of the Revised Statutes of 1899;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 283, entitled

An act to repeal sections 6539, 6540, 6541, 6544 and 6554, article 23, chapter 91 of the Revised Statutes of the State of Missouri, 1899, relating to juries in cities of over one hundred thousand inhabitants, and to enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 284, entitled

An act to collect a corporate franchise tax from all corporations, joint stock companies or associations; to assess and tax the franchises

owned, used and enjoyed by corporations and persons; and to amend the general revenue law;

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 285, entitled

An act to collect a corporate franchise tax from all corporations, joint stock companies or associations; to assess and tax the franchises owned, used and enjoyed by corporations and persons; and to amend the general revenue law by providing for the assessment and taxation of certain kinds of property by the State Board of Equalization;

Read first time and 150 copies ordered printed.

Senator Whaley sent up and had read by the Secretary the following written statement:

The two bills I have here follow the suggestion of the message of the Governor dated February 13th, 1901, on the question of franchise taxation.

The suggestion in the message of the Executive was that the franchise exercised by all corporations consisting of the right to carry on business as a corporation should be taxed in a law separate from the law taxing special franchises granted by a municipality, such as a right to lay a water main in a street.

I have two bills, the first of which taxes the privilege granted to corporations by municipalities and by the State to exercise some special privilege in, upon, across, along or under some public highway.

This bill taxes the franchises of street railways, of transportation and transmission corporations and associations and water, gas, electric or steam heating, lighting, conduit and power companies and fast freight lines, such as Armour dressed beef cars, refrigerator cars, the cars of the brewers in which beer is shipped, parlor and sleeping car companies.

This covers all the public service corporations. But all these franchises are not granted by municipalities nor are they all corporations having peculiar privileges.

The other bill taxes all corporations not for the mere right to organize as is erroneously supposed by some, but for the right to carry on and conduct business as a corporation with the right of corporate succession and corporate exemption from liability beyond the amount actually invested in the business. The mere right to have a corporate existence is paid for as an organization fee in the shape of fees paid to the Secretary of State when the articles of association are filed.

It is said "A private business corporation receives from the State the privilege to be a corporation. That is all that is conferred upon it."

If this is true then the mere right to exist with a corporate name and style for the business is all that is conferred. The organization fee is then paid merely for the firm name of the corporation, is it? Could not the firm name be readily assumed without the corporate existence? Does it cost anything in this country to style a firm A. B. & Co.? Does any one believe that the mere right to exist as a corporation is all the privilege conferred upon a business corporation like the great tobacco trust, incorporated in our State as the "Continental Tobacco Co.," with its \$70,000,000 capital?

If it were true that only the right to merely exist as a corporation was conferred on great mercantile and manufacturing corporations like the barb wire trust, the salt trust, the Standard Oil trust, and the sugar trust when they organized, does any business man think they would incorporate? Of course they would not. If the organization of the corporation does not give the corporation some particular and exact legal and business advantage in the conduct of its business over the individual citizen or partnership competing with it, every one knows it would not be incorporated.

What is the legal advantage of a mercantile or manufacturing corporation in carrying on a given line of business over a citizen or a partnership conducting the same business? What special privilege does the corporation enjoy that the individual or the partnership competing with the corporation does not possess, although the corporation and the partnership do business side by side in the same town in Missouri? If the corporation does possess any special privilege, should it not pay for it? If the corporation enjoys no special privilege in mercantile or manufacturing business in Missouri that the citizen or partnership competing with it does not possess, why do so many incorporate? If the corporate form carries no benefit why pay out the money necessary to organize?

Here is the special privileges the corporate organization carries:

First—The right of succession and control of the corporation by simply transferring the shares of stock. The mere possession of a sufficient amount of money to buy a majority of the shares of stock enables the holder of the money to govern the corporation.

Second—The laws of Missouri insure and guarantee the holders of full paid stock in a business of manufacturing corporation against any loss of their private property by reason of the insolvency or bankruptcy or failure of the corporate business enterprise because our Missouri statute expressly provides that if a man owns full paid stock in the tobacco trust or sugar trust or a great incorporated department store in Kansas City or St. Louis, that his private fortune no matter how great, shall not be liable for one dollar's worth of the debts of the corporation, no matter how just or how large the debts are.

This is an absolute insurance by the Commonwealth of Missouri to the full paid stockholder in a mercantile or manufacturing company (a better insurance by a stronger company than any underwriter can give), in the form of a solemn statute backed by all the power of the State government to enforce it. Is this insurance and guarantee against loss beyond the actual amount you invest in a business enterprise worth any-

thing? If you go to a surety company to insure the fidelity of those employed by you, who handle your money and property, do you not pay a certain sum for the guarantee? If you have your house insured against loss for one or five thousand dollars, do you not justly pay for this guarantee and exemption against loss? Of course you do, and the insurance against loss of property, life and the guaranteeing of the fidelity of employes has grown to be a great and splendid line of business and is protected fully by law. Why should not the citizens who are organized as a corporation to carry on a mercantile or manufacturing business, and are insured and exempted by a statute of the State against loss beyond the amount of full paid stock, pay for the insurance an adequate sum yearly to the State for the special privilege of a guarantee against loss of their private fortune by the failure of the corporate business? Is not this a special privilege that in case of a great corporate mercantile firm with millions of liabilities might be worth much more than the simple right to lay a conduit pipe in or stretch a telephone wire over a street?

If a citizen or two or three citizens as partners conduct a mercantile or manufacturing business in Missouri and misfortune overtakes the business and failure comes and the assets of the firm are not sufficient to meet the liabilities, the private fortune of the individual members of the firm will and can be legally taken for the firm debt. Three men in the same business right by their side, organized as a corporation with full paid capital stock, equal only in amount to the capital of the two men doing business as partners, may also fail and the liabilities far exceed the corporate assets and the members of the partnership and of the corporation may each individually have the same amount of private fortune, and, under the laws of Missouri the private property of the partners would be taken for the firm debt, while the property of the members of the corporation could not be touched for the firm debts because the statute guarantees exemption from loss of private fortune to the members of the corporation.

Is not, then, the right or privilege of doing business in a corporate capacity from year to year a special privilege or franchise? Of course it is. It is more; the privilege of doing business in a corporate capacity is an insurance and guarantee against loss of private fortune, made by the State to the individual shareholders.

This privilege or franchise of carrying on business in a corporate capacity creates inequality of business opportunity between the member of the corporation and the citizen or partnership competitor beside it, because the citizen or member of the partnership stand to lose all the property invested in the business as well as their private fortune not employed in the business while the member of the corporation stands to lose in any event only to the extent of the amount of money he has invested in the business.

The older Commonwealths of our country recognize this inequality of opportunity and guarantee of exemption from loss to members of corporations, and while they permit mercantile and manufacturing business to be carried on by corporate organizations, yet, for doing business in such corporate capacity (not for merely the right to exist as a corporation), these older states tax the corporation.

The greatest commercial and corporation State in this country is New York. It contains the financial centre of the land. It is perhaps the home of more gigantic corporations than any other State in our Union. It is recognized as the leading State to extend protection and assistance to organized corporate capital by conservative and just legislative enactments. No man will claim that the laws of New York are injurious or hostile to organized capital. On the contrary, organized capital seeks shelter in the old State on the Hudson.

The last annual report of the Comptroller of New York shows that during the last fiscal year the receipts from taxes upon corporations of various kinds levied simply for the right or privilege of doing business in a corporate capacity, amounted to \$2,167,434.31. The vast sum of \$901,000 of this amount (called a general franchise tax levied only for the right or privilege to do business in a corporate capacity), was collected by the State of New York under the provisions of a law which is an exact copy of the bill I have today introduced for the purpose of taxing all corporations for the privilege of doing business in a corporate capacity in Missouri.

New York has about three times our population. If we did with one-third of the population of that State one-ninth of the business through corporations that New York does, this bill of mine would alone add one hundred thousand dollars to the general revenue fund of the State from this general franchise tax on the right to do business as a corporation and the added expense under this bill in collecting it would not be five thousand dollars. Let me indicate to you the three classes of corporations that paid this vast sum in New York last year merely for the privilege of doing business in a corporate capacity:

|   |              |
|---|--------------|
| Transportation companies.....   | \$448,144 81 |
| Miscellaneous companies (including mercantile and manufacturing companies)..... | 442,392 98   |
| Insurance companies.....  | 9,901 51     |

Each of these corporations paid additional taxes on any special privilege or franchise they used, owned, controlled or possessed.

I do not object to but endorse a bill taxing such special franchises as indicated should be taxed in the message of the Governor of February 13th, 1901, and the other bill I have introduced today does tax such special franchises and provides the machinery to levy, collect and enforce the tax without interfering with our present revenue system.

The present law clearly authorizes the assessment of all franchises, in my opinion. It is well known that under it our State Board of Equalization has been assessing the franchises of street railways and the street railway companies have been unable to even attack the assessment to such an extent as to authorize them to get into court on the question.

A mere general bill, naming certain classes of franchises and limiting the taxation to those commonly known as public service corporations, will not be fair or equitable, nor will it yield the needed additional revenue. It is not fair to attempt to make any one class of corporations pay all the deficiency in the general revenue fund. The added burden should be borne equally in proportion to the ability of each class to pay. This is equality and equality of taxation is justice in taxation.

Again, any bill passed should have in it provision for a review of the action of any assessing officials. This bill has.

In conclusion, I insist that first, all corporations should be taxed for the privilege of doing business in a corporate capacity, because it is an insurance against loss beyond

a certain amount to the members of the corporation, and it enables the business succession to go on without interruption. The hand of death, the visitation of disease, the country's call for defenders in its hour of peril none nor all awake response in the lifeless, fleshless corporate entity competing with the citizen in his business and enjoying all the blessings of government and fill our court dockets without sharing any of the responsibilities or paying any of our court expenses.

I insist that great corporations and trusts like the Standard Oil, the tobacco trust and the sugar trust and a thousand others who have no special franchise in a street, or over a river, and yet who compel the giant railway corporations to bend to their power, should pay a franchise tax in Missouri for the privilege of doing business in a corporate capacity.

Second, That all corporations having any special privilege along, over, across, under or through any highway of Missouri should pay an additional franchise tax for the special privilege they have.

The laws of New York and other States compel these two classes of corporate taxes to be paid.

It might be well to say here that the special franchise law passed two years ago at the recommendation of Governor Roosevelt and known as the "Ford law" has never yet paid one dollar of taxes into the treasury of New York state as the corporations are litigating it in the courts, and all the franchise taxes paid last year in New York were paid under the provisions of laws which the two bills I introduce today are copies of and these bills I introduce have been passed on and upheld by the Supreme Court of New York and the Federal Supreme Court. There is no room for a legal contest. I believe these bills should be enacted.

Senator Fields (by request) introduced Senate bill No. 286, entitled

An act to amend section 5968, chapter 91, article 5 of the Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class;"

Read first time and 150 copies ordered printed.

Senator Martin (by request) introduced Senate bill No. 287, entitled

An act to repeal sections 1939 and 1940 of the Revised Statutes of 1899, providing penalties for defrauding a gas company and for altering a gas meter for a fraudulent purpose, and providing a new section in lieu thereof applying such penalties to gas companies and in addition to electric light and power companies, to water companies, to steam companies, to refrigerating companies and to all companies and persons furnishing a gas or liquid through pipes to consumers;

Read first time and 150 copies ordered printed.

Senator Fields moved that the order by which committee substitute to Senate bills Nos. 1, 6, 59, 105 and 114 was made special order for 2 p. m. today be reconsidered.

The motion prevailed.

Senator Martin moved that the substitute be referred to the committee on Ways and Means.

The motion prevailed.

Committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114 was referred to the Committee on Ways and Means.

The nine following communications were received from the House of Representatives through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 122, entitled

An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages, with House amendment, and amendment to title by adding the words, "with an emergency clause," after the word villages in third line of title;

Also, House bill No. 167, entitled

An act to repeal section 1825 of article 2, chapter 12, Revised Statutes of Missouri and enact a new section in lieu thereof;

Also, House bill No. 197, entitled

An act providing for the appointment of park commissioners in cities of the second class;

House bill No. 238, entitled

An act to amend section 8919, article 1, chapter 141, Revised Statutes of Missouri, 1899, relating to release of State penitentiary convicts under the three-fourths rule;

Also, House bill No. 112, entitled

An act to amend section 3791, article 1, chapter 42, Revised Statutes of Missouri, 1899, relating to juries;

Also, House bill No. 302, entitled

An act to amend section 7808, Revised Statutes of Missouri, of 1899;

Also, House bill No. 212, entitled

An act amending section 6168 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Miscellaneous provisions applying to cities, towns and villages;"

Also, House bill No. 95, entitled

An act entitled "An act to repeal certain sections of article 14, chapter 168 of Revised Statutes, 1899," and enacting new section in lieu thereof, amending the road law under township organization, with title amended by adding at the end thereof the words, "with emergency clause;"

Also, House bill No. 252, entitled

An act amending section 6169 of article 9 of chapter 91 of the Revised Statutes of Missouri, 1899, by striking out the figures "100,000," and inserting in lieu thereof, the figures "150,000," with title amended, by inserting after the figures "100,000," and the word "and," the words in the third line of said section ten;

In which the concurrence of the Senate is respectfully requested.

Which were read.

Senator Collins, from the Committee on Penitentiary and Reform Schools, submitted the following report;

Mr. President: Your Committee on Penitentiary and Reform Schools, to which was referred

Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities;

Beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendment;

Which was read.

Amendment No. 1 to Senate bill No. 237:

Amend Senate bill No. 237 by striking out the word "one," in first line of section one of printed bill, and the word "one," in section eleven, line two, and insert in lieu thereof, the word "three;"

Read first and second times and agreed to.

Senator Stubbs, from the Committee on Militia, submitted the following report:

Mr. President: Your Committee on Militia, to which was referred House bill No. 60, entitled

An act to amend article 17 of chapter 130, Revised Statutes of Missouri, 1899, entitled "Militia," by adding a new section thereto, to be known as section 8728a, and relating to the establishment of a post of the National Guard of Missouri at the Missouri Military Academy, Mexico, Missouri;

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

House bill No. 13, entitled

An act to prevent persons and corporations from working laborers underground more than eight hours in a day, and fixing eight hours as a day for such laborers,

Was taken up and read first time.

Committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, entitled

An act to repeal sections 9427, 9432, 9436 and 9437, article 1, chapter 151, Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 9427, 9432, 9436 and 9437,

Was taken up and read first time.

Committee substitute for House bill No. 65, entitled

An act to apportion the State of Missouri into representative districts, and to provide for the representation thereof,

Was taken up and read first time.

House bill No. 70, entitled

An act to amend section seven thousand and ninety-one (7091) of article 2, chapter 102 Revised Statutes of Missouri, 1899, relating to elections,

Was taken up and read first time.

House bill No. 120, entitled

An act to fix the liability of railroad and other corporations for damages done by them or their contractors in the construction of railroads,

Was taken up and read first time.

House bill 146, entitled

An act amending section ten thousand five hundred and eleven of the Revised Statutes of 1899, relating to the board of visitors of the State University,

Was taken up and read first time.

House bill No. 155, entitled

An act to repeal section 9084, chapter 147, article IV of the Revised Statutes of the State of Missouri, in relation to surplus fees of recorders of deeds, and enacting in lieu thereof a new section, to be known as section 9084,

Was taken up and read first time.

House bill No. 224, entitled

An act entitled an act to amend chapter 12 of the Revised Statutes of the State of Missouri of 1899 entitled "Corporations, private," by repealing section 1194 of said Revised Statutes, being part of article 4 of said chapter concerning the regulation of freight charges, and to enact in lieu thereof a new section,

Was taken up and read first time.

House joint and concurrent resolution No. 2, entitled

Joint and concurrent resolution to amend section 8 of article 9 of the Constitution of the State of Missouri,

Was taken up and read first time.

Senator Drabelle called up Senate bill No. 204 and moved that the vote by which the bill was ordered engrossed be reconsidered.

The motion prevailed.

Senator Drabelle offered the following amendment to Senate bill No. 204:

Amendment No. 3 to Senate bill No. 204:

Amend Senate bill No. 204, section 1 by adding to end of said section the following: "Provided, however, that in any suit or proceeding under this act it shall be a good defense if the person charged with a violation thereof shall show to the satisfaction of the jury or court trying the facts that there is no known, practicable device, appliance, means or method by application of which to his building, establishment or premises the emission or discharge of the dense smoke complained of in that proceeding could have been prevented;

Read first and second times and agreed to.

On motion of Senator Drabelle, the bill, as amended, was ordered engrossed and printed.

Senate bill No. 241, entitled

An act to require all corporations, companies and associations engaged in gathering and furnishing news for newspaper publication, publishers and other publications to furnish to all newspapers and publications on equal terms,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Clay,  
Collins,  
Davisson,  
Farris,

Fields,  
Haynes,  
Orchard,  
Ramp,  
Rollins,

Rubey,  
Schoenlaub,  
Smith,  
Stubbs,  
Tandy,

Thomas,  
Walker,  
Whaley,  
Zevely—19.

NAYS—Senators

Bradley,  
Costello,  
Dowell,

Drabelle,  
Heather,

Jewell,  
Marshall,

Matthews,  
Sullivan—9.

Absent with leave—Senators

Clarke,

Lee,

Martin,

Morton—4.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which Senate bill No. 241 was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 50, entitled

An act to repeal section 8861, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Certain persons declared to be peddlers," and enact a new section in lieu thereof, to be known as section 8861,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,

Davisson,  
Dowell,  
Farris,  
Fields,  
Heather,  
Jewell,

Marshall,  
Martin,  
Orchard,  
Ramp,  
Rubey,  
Schoenlaub,

Stubbs,  
Sullivan,  
Tandy,  
Walker,  
Zevely—23.

NAYS—Senators

Drabelle,

Matthews,

Rollins,

Thomas—4.

Absent with leave—Senators

Haynes,  
Lee,

Morton,

Smith,

Whaley—5.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Bradley moved that the vote by which Senate bill No. 50 was passed be reconsidered.

Senator Costello moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 51, entitled

An act to amend section 8867, chapter 140 of the Revised Statutes of the State of Missouri, 1899, entitled "Rate of tax on peddler's license,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Davisson, | Marshall, | Schoenlaub, |
| Bradley,  | Dowell,   | Martin,   | Stubbs,     |
| Clarke,   | Farris,   | Matthews, | Tandy,      |
| Clay,     | Fields,   | Orchard,  | Walker,     |
| Collins,  | Heather,  | Ramp,     | Zevely—23.  |
| Costello, | Jewell,   | Rubey,    |             |

NAYS—Senators

Sullivan, Thomas—2.

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Drabelle, | Lee,    | Rollins, | Whaley—7. |
| Haynes,   | Morton, | Smith,   |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Bradley moved that the vote by which Senate bill No. 51 was passed be reconsidered.

Senator Costello moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 107 was taken up and laid over informally.

Senate bill 132, entitled

An act entitled "An act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy, and to enact a new section relating to the same subject, to be known as section 7502a, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Farris,   | Matthews, | Schoenlaub, |
| Clarke,   | Haynes,   | Orchard,  | Sullivan,   |
| Clay,     | Jewell,   | Ramp,     | Tandy,      |
| Collins,  | Lee,      | Rollins,  | Thomas,     |
| Costello, | Marshall, | Rubey,    | Walker—22.  |
| Drabelle, | Martin,   |           |             |

NAYS—Senators

|         |         |          |           |
|---------|---------|----------|-----------|
| Dowell, | Fields, | Heather, | Stubbs—4. |
|---------|---------|----------|-----------|

Absent with leave—Senators

|           |         |         |           |
|-----------|---------|---------|-----------|
| Bradley,  | Morton, | Whaley, | Zevely—6. |
| Davisson, | Smith,  |         |           |

Sick—Senator Cooper—1.

Senator Zevely was excused from voting on the bill.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Stubbs,     |
| Clarke,   | Fields,   | Matthews, | Sullivan,   |
| Clay,     | Haynes,   | Orchard,  | Tandy,      |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Costello, | Jewell,   | Rollins,  | Walker—27.  |
| Davisson, | Lee,      | Rubey,    |             |

NAY—Senator Dowell—1.

Absent with leave—Senators

|         |        |         |           |
|---------|--------|---------|-----------|
| Morton, | Smith, | Whaley, | Zevely—4. |
|---------|--------|---------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which Senate bill No. 132 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Zevely called up Senate bill No. 157 and moved that it be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 157, entitled

An act entitled "An act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State seminary moneys,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |         |             |            |
|-----------|---------|-------------|------------|
| Bradley,  | Farris, | Matthews,   | Sullivan,  |
| Clay,     | Fields, | Orchard,    | Tandy,     |
| Collins,  | Haynes, | Rubey,      | Thomas,    |
| Davissou, | Jewell, | Schoeneaub, | Whaley,    |
| Dowell,   | Lee,    | Smith,      | Zevely—22. |
| Drabelle, | Martin, |             |            |

NAYS—Senators

|         |           |          |           |
|---------|-----------|----------|-----------|
| Biggs,  | Costello, | Rollins, | Walker—7. |
| Clarke, | Heather,  | Stubbs,  |           |

Absent with leave—Senators

|           |         |         |
|-----------|---------|---------|
| Marshall, | Morton, | Ramp—3. |
|-----------|---------|---------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Zevely moved that the vote by which Senate bill No. 157 was passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Martin, from the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 1, entitled

An act to provide for taxing franchises;

Senate bill No. 6, entitled

An act to authorize the imposition of a franchise tax on corporations doing business in Missouri;

Senate bill No. 59, entitled

An act to provide for the taxing of franchises, and requiring the State Board of Equalization to value, assess and apportion the same, and providing penalties for violating this act;

Senate bill No. 105, entitled

An act to tax corporate franchises and for the payment of the same into the State Treasury,

And Senate bill No. 114, entitled

An act to define and tax the franchises of corporations doing business in this State, except such as are for religious, educational or charitable purposes, requiring the State Board of Equalization to value the same and providing penalties,

Begs leave to report that it has examined the same and submits the accompanying committee substitute and recommends that it do pass;  
Which was read.

Committee substitute for Senate bills Nos. 1, 6, 59, 105, 114, entitled  
An act to define and tax the franchises of all corporations, companies or associations doing business in this State, except such as are by law exempt from taxation, and requiring the State Board of Equalization to assess the same, and providing penalties for violation of this act,  
Was read.

Senator Martin moved that 150 copies of committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114 be ordered printed, and printing be given precedence.

The motion prevailed.

Senator Dowell introduced Senate bill No. 288, entitled  
An act repealing section 809 of the Revised Statutes of 1899 of the State of Missouri and enacting a new section in lieu thereof;  
Read first time and 150 copies ordered printed.

On motion of Senator Fields, the Senate took a recess until 2 p. m.

#### AFTERNOON SESSION.

The President pro tem. called the Senate to order.

Senator Whaley moved that 300 copies of the statement submitted by him in regard to Senate bills Nos. 286 and 287 be printed.

The motion prevailed.

Senate bill No. 146 was taken up and laid over informally.

Senate bill No. 167, entitled

An act to amend section 1855, article 2, chapter 15 of the Revised Statutes of 1899, relating to crimes and punishments,

Was read third time, placed upon its passage, and passed by the following vote:

##### YEAS—Senators

|          |          |           |             |
|----------|----------|-----------|-------------|
| Biggs,   | Dowell,  | Lee,      | Rubey,      |
| Bradley, | Farris,  | Marshall, | Schoenlaub, |
| Clarke,  | Fields,  | Martin,   | Stubbs,     |
| Clay,    | Haynes,  | Matthews, | Tandy,      |
| Collins, | Heather, | Orchard,  | Walker,     |
| Davison, | Jewell,  | Rollins,  | Whaley—24.  |

##### NOES—None.

##### Absent with leave—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Costello, | Morton, | Smith,    | Thomas,   |
| Drabelle, | Ramp,   | Sullivan, | Zevely—8. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 167 was passed be reconsidered.

Senator Whaley moved that the motion be laid on the table.

The latter motion prevailed.

Senate bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13th, 1867," as contained in

volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Stubbs,     |
| Clarke,   | Fields,   | Matthews, | Sullivan,   |
| Clay,     | Haynes,   | Orchard,  | Tandy,      |
| Collins,  | Heather,  | Rollins,  | Walker,     |
| Davisson, | Jewell,   | Rubey,    | Whaley—26.  |
| Dowell,   | Lee,      |           |             |

NAYS—None.

Absent with leave—Senators

|           |        |         |           |
|-----------|--------|---------|-----------|
| Costello, | Ramp,  | Thomas, | Zevely—6. |
| Morton,   | Smith, |         |           |

Sick—Senator Cooper—1.

The emergency clause to Senate bill No. 185 was adopted by the following vote:

YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Dowell,  | Marshall, | Schoenlaub, |
| Bradley,  | Farris,  | Martin,   | Stubbs,     |
| Clarke,   | Fields,  | Matthews, | Sullivan,   |
| Clay,     | Haynes,  | Orchard,  | Tandy,      |
| Collins,  | Heather, | Rollins,  | Walker,     |
| Davisson, | Lee,     | Rubey,    | Whaley—24.  |

NAYS—None.

Absent with leave—Senators

|           |         |        |           |
|-----------|---------|--------|-----------|
| Costello, | Jewell, | Ramp,  | Thomas,   |
| Drabelle, | Morton, | Smith, | Zevely—8. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Biggs moved that the vote by which Senate bill No. 185 and emergency clause passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins offered the following resolution:

Resolved, That the State Board of Examiners for Barbers are hereby requested to immediately submit to this body a full and complete report, as required by law—Sec. 5032, Revised Statutes, 1899. Said report to contain an itemized report of all moneys received and how expended by said Board.

Which was read and adopted.

Senate bill No. 288, entitled

An act to amend section 5937 of article 5, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Cities of the fourth class,"

Was read third time, placed upon its passage, and failed to pass by the following vote:

YEAS—Senators

|          |          |         |            |
|----------|----------|---------|------------|
| Biggs,   | Fields,  | Martin, | Walker,    |
| Bradley, | Heather, | Rubey,  | Whaley,    |
| Dowell,  | Jewell,  | Tandy,  | Zevely—12. |

NAYS—Senators

|           |           |           |              |
|-----------|-----------|-----------|--------------|
| Clarke,   | Drabelle, | Marshall, | Schoenlaub,  |
| Clay,     | Farris,   | Matthews, | Stubbs,      |
| Collins,  | Haynes,   | Orchard,  | Sullivan—15. |
| Davisson, | Lee,      | Rollins,  |              |

Absent with leave—Senators

|           |       |        |           |
|-----------|-------|--------|-----------|
| Costello, | Ramp, | Smith, | Thomas—5. |
| Morton,   |       |        |           |

Sick—Senator Cooper—1.

Senators Thomas, Morton, Smith and Costello were granted leave of absence.

Senate bill No. 213 was taken up and laid over informally.

Senate bill No. 22 as taken up and, on motion of Senator Davisson, was indefinitely postponed.

Senate bill No. 39 was ordered engrossed and printed.

Senate bills Nos. 80 and 81 were taken up and laid over informally.

Senate bill No. 145 was taken up and laid over informally.

Senate bill No. 161 as taken up and laid over informally.

Senate bill No. 168 was taken up and laid over informally.

Senate bill No. 173 was taken up and laid over informally.

Senate bill No. 174 was taken up and laid over informally.

Senate bill No. 175 was ordered engrossed and printed.

Senator Dowell introduced Senate bill No. 288, entitled

An act repealing section 809 of the Revised Statutes of 1899 of the State of Missouri and enacting a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Message from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, February 19, 1901. }

To the President of the Senate:

Sir—I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen as members of the Board of Police Commissioners within and for the City of St. Louis:

Harry B. Hawes, for a term ending January 1, 1903.

Andrew F. Blong, for a term ending January 1, 1903.

W. F. Woerner, for a term ending January 1, 1905.

T. R. Ballard, for a term ending January 1, 1905.

Respectfully,

A. M. DOCKERY, Governor.

Read and referred to the Committee on Municipal Corporations.

Committee substitute for Senate bill No. 119, entitled

An act to provide for the appointment of a factory inspector and defining his term of service, salary, powers and duties,

Was adopted and ordered engrossed and printed.

The following communication was received from the Governor through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, February 19, 1901. }

To the President of the Senate:

I have the honor to advise that I have this day appointed (by and with the advice and consent of the Senate) the following named gentlemen to constitute the Board of Election Commissioners for the City of St. Louis, to hold for a term ending August 21, 1903:

James McCaffery, Chairman of the Board.

John M. Wood.

William A. Hobbs.

Respectfully,

A. M. DOCKERY, Governor.

Read and referred to the Committee on Privileges and Elections.

House bill No. 35 was taken up and laid over informally.

House bill No. 80, entitled

An act to amend sections 3994 and 4001 of article 7, chapter 43, Revised Statutes of Missouri, 1899, entitled "Justices' courts," and relating to appearance, pleadings, adjournments and consolidation of actions,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,

Dowell,  
Fields,  
Heather,  
Lee,  
Matthews,

Orchard,  
Rubey,  
Schoenlaub,  
Smith,  
Stubbs,

Sullivan,  
Tandy,  
Walker,  
Whaley,  
Zevely—21.

## NAYS—Senators

Farris, Martin—2.

Absent with leave—Senators

Costello, Jewell,  
Drabelle, Marshall,  
Haynes,Morton,  
Ramp,Rollins,  
Thomas—9.

Sick—Senator Cooper—1.

The title of the bill was read and agreed to.

Senator Walker moved that the vote by which House bill No. 80 passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute to House bill No. 4, entitled

An act to amend sections 5064 and 5066, chapter 80, article 2, Revised Statutes of Missouri, 1890,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,  
Dowell,Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Lee,Martin,  
Orchard,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith,Stubbs,  
Sullivan,  
Tandy,  
Walker,  
Whaley,  
Zevely—25.

## NAYS—None.

Absent with leave—Senators

Costello, Marshall,  
Jewell, Matthews,Morton,  
Ramp,

Thomas—7.

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,  
Dowell,Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Lee,Martin,  
Orchard,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith,Stubbs,  
Sullivan,  
Tandy,  
Walker,  
Whaley,  
Zevely—25.

## NAYS—None.

Absent with leave—Senators

Costello, Marshall,  
Jewell, Matthews,Morton,  
Ramp,

Thomas—7.

Sick—Senator Cooper—1.

The title of the bill was read and agreed to.

Senator Haynes moved that the vote by which committee substitute to House bill No. 4 and emergency clause passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins called up House bill No. 35 and moved that the bill be read the third time and placed upon its passage.

The motion prevailed.

House bill No. 35, entitled

An act to amend section four thousand one hundred and thirty-two (4132), chapter 44 of the Revised Statutes of 1899, relating to landlords and tenants,

Was read third time, placed upon its passage, and failed to pass by the following vote:

## YEAS—Senators,

Bradley,  
Clarke,  
Collins,  
Davisson,Dowell,  
Haynes,  
Jewell,  
Marshall,Morton,  
Orchard,  
Rollins,  
Rubey,Sullivan,  
Whaley,  
Zevely—15.

## NAYS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Farris,  | Martin,     | Stubbs,    |
| Clay,     | Fields,  | Schoenlaub, | Tandy,     |
| Costello, | Heather, | Smith,      | Walker—14. |
| Drabelle, | Lee,     |             |            |

## Absent with leave—Senators

|           |       |           |
|-----------|-------|-----------|
| Matthews, | Ramp, | Thomas—3. |
|-----------|-------|-----------|

Sick—Senator Cooper—1.

Senator Zevly introduced Senate bill No. 289, entitled

An act to amend section 278 of article 14, chapter 1, Revised Statutes of 1899, in relation to appeals;

Read first time and 150 copies ordered printed.

Senator Drabelle (by request) introduced Senate joint and concurrent resolution No. 12,

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation;

Read first time and 150 copies ordered printed.

On motion of Senator Dowell, the Senate adjourned until 10 a. m. tomorrow.

## THIRTY-SIXTH DAY—Wednesday, February 20, 1901.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Collins presented a petition from the International Union of Steam Engineers protesting against the passage of a bill creating the office of State Boiler Inspector, or any bill changing our present license law or present boiler inspection system;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Smith presented a petition from citizens of St. Louis, asking for the passage of an anti-cigarette law;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Smith presented a petition from the citizens of St. Louis, asking for the passage of a law allowing women over twenty-one years of age to vote at school elections;

Read and referred to the Committee on Privileges and Elections.

Senator Thomas presented a petition from the citizens of Henry county, asking for the passage of a law allowing women over twenty-one years of age to vote at school elections;

Read and referred to the Committee on Privileges and Elections.

Senator Whaley presented a petition from the citizens of St. Clair, Bates and Henry counties, asking for the passage of a law allowing women over twenty-one years of age to vote at school elections;

Read and referred to the Committee on Privileges and Elections.

Senator Whaley presented a petition from the citizens of Henry county, asking for the passage of an anti-cigarette law;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Martin presented a petition from citizens of Pettis and Benton counties, asking for the passage of a compulsory education law ;

Read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Ramp presented a petition from the citizens of his district, asking for the passage of a compulsory education law ;

Read and referred to the Committee on Education, Text-Books and Public Schools.

Senator Ramp presented a petition from the citizens of Johnson county, asking for the passage of a bill allowing women over twenty-one years of age to vote at school elections ;

Read and referred to the Committee on Privileges and Elections.

Senator Stubbs presented a petition from the citizens of Atchison county, asking for the passage of a law allowing women over twenty-one years of age to vote at school elections ;

Read and referred to the Committee on Privileges and Elections.

The four following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall :

Mr. President : I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 334, entitled

An act to appropriate money for the payment of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly ;

Also, committee substitute for House bills Nos. 56, 104 and 30, entitled

An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections from 9696a to 9696z, inclusive, with an emergency clause ;

Also, House bill No. 234, entitled

An act changing the names of certain eleemosynary institutions ;

Also, committee substitute for House bill No. 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvements of the eleemosynary and penal institutions of the State for the years 1901 and 1902,

In which the concurrence of the Senate is respectfully requested ;

Which were read.

A message from the Governor.

[For message, see Appendix.]

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report :

Mr. President : Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 126, entitled

An act to regulate business and trade in cities having a population of fifty thousand or over, declaring it unlawful and making it a misdemeanor to transact business in violation of the provisions thereof, and providing a penalty for such violation ; providing for the appointment of license commissioners in such cities, prescribing their powers, defining their duties and fixing their compensation,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Stubbs, from the Committee on Militia, submitted the following report:

Mr. President: Your Committee on Militia, to which was referred Senate bill No. 211, entitled

An act authorizing the appointment of quartermaster sergeants of the National Guard of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

To the Senate:

I have the honor to transmit herewith a letter of Hon. David J. Hill, Acting Secretary of State, Washington, D. C. I ask for the communication and accompanying documents careful consideration by your honorable body.

A. M. DOCKERY.

Governor's Office, City of Jefferson, February 20, 1901.

Which message and the accompanying documents were read.

Senator Orchard moved that the communication be referred to the Committee on Private Corporations.

Senator Davisson moved as an amendment that 150 copies of the communication and documents be printed.

Motion withdrawn.

The question recurring on the motion to refer,

The motion prevailed.

Senator Davisson moved that 150 copies of communication and documents be printed for the information of the Senate.

Senator Farris made the point of order that the communication, after being referred to the committee, was not in possession of the Senate and not subject to order of Senate.

Point of order was sustained by the President.

House bill No. 252, entitled

An act amending section 6169 of article 9 of chapter 91 of the Revised Statutes of Missouri, 1899, by striking out the figures "100,000," in the third line of said section, and inserting in lieu thereof the figures "150,000,"

Was read first time.

House bill No. 212, entitled

An act amending section 6168 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Miscellaneous provisions applying to cities, towns and villages,"

Was read first time.

House bill No. 95, entitled

An act entitled "An act to repeal sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336 of article 14, chapter 168 of the Revised Statutes, 1899, of Missouri, entitled 'Roads, highways and bridges,' and enact new sections in lieu thereof, to be known as sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336,"

Was read first time.

House bill No. 302, entitled

An act to amend section 7808 by inserting in the fourth line thereof between the figure "3" and the word "school," the following words and figures, viz.: "State Hospital for Insane No. 4," "The Missouri Colony for the Feeble-Minded and Epileptic;" so that said section will read as follows,

Was read first time.

House bill No. 167, entitled

An act to repeal section 1825 of article 2, chapter 12, Revised Statutes of Missouri, and enact a new section in lieu thereof,

Was read first time.

House bill No. 238, entitled

An act to amend section 8919, article 1, chapter 141, Revised Statutes of Missouri, 1899, relating to release of State penitentiary convicts under the three-fourths rule,

Was read first time.

House bill No. 197, entitled

An act providing for the appointment of park commissioners in cities of the second class,

Was read first time.

House bill No. 112, entitled

An act to amend section three thousand seven hundred and ninety-one (3791), article I, chapter 42, Revised Statutes of Missouri, 1899, relating to juries,

Was read first time.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 141, entitled

An act to amend section 1823, article 2, chapter 15, Revised Statutes of 1899, entitled "Offenses against the lives and persons of individuals;"

Also, Senate bill 148, entitled

An act to prevent the issuance of life insurance upon persons under the age of fifteen (15) years, and to provide a penalty therefor;

Also, Senate bill No. 192, entitled

An act to provide for the licensing and taxation of buffet, cafe, special, parlor, dining and hotel cars, and to regulate the sale of intoxicating liquors thereon,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Thomas called up Senate bill No. 125 and moved that the bill be read the third time and placed upon its passage.

The motion prevailed.

Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators,

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Farris,   | Orchard, | Tandy,     |
| Clay,     | Haynes,   | Ramp,    | Thomas,    |
| Collins,  | Jewell,   | Rollins, | Walker,    |
| Davisson, | Lee,      | Rubey,   | Whaley,    |
| Dowell,   | Matthews, | Smith,   | Zevely—22, |
| Drabelle, | Morton,   |          |            |

## NAYS—Senators

|           |           |             |              |
|-----------|-----------|-------------|--------------|
| Bradley,  | Fields,   | Martin,     | Stubbs,      |
| Clarke,   | Heather,  | Schoenlaub, | Sullivan—19. |
| Costello, | Marshall, |             |              |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which Senate bill No. 125 was passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 244, entitled

An act to prevent the stealing of domestic fowls,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The following communication was received from the Governor:

Executive Department, State of Missouri, }  
Jefferson City, February 20, 1901. }

To the President of the Senate:

I have the honor herewith to return to the Senate, with my approval indorsed thereon, Senate bill No. 17, entitled "An act to repeal section 2862 of article 15 of chapter 16 of Revised Statutes of 1899, entitled 'Costs in criminal cases,'"

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

On motion of Senator Rubey, the Senate adjourned until 2 p. m.

## AFTERNOON SESSION.

The President called the Senate to order at 2 p. m.

Senator Walker called up Senate bill No. 77 and moved that the bill be engrossed and printed.

The motion prevailed.

Senator Collins called up Senate bill No. 184 and moved that the bill be engrossed and printed.

The motion prevailed.

Senate bill No. 237 was taken up and laid over informally.

House amendment No. 1 to Senate bill No. 26 was taken up and concurred in.

House amendment No. 1 to Senate bill No. 26:

Amend the title of Senate bill No. 26 by striking out all after the figures "1899," and by adding the following in lieu thereof: "Relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies.

House amendment No. 1 to Senate bill No. 27 was taken up and concurred in:

Amendment No. 1 to Senate bill No. 27:

Amend the title of Senate bill No. 27 by striking out all after the figures "1899," and by adding the following in lieu thereof: "Relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies."

House amendment No. 1 to Senate bill No. 28 was taken up and concurred in.

House amendment No. 1 to Senate bill No. 28:

Amend the title of Senate bill No. 28 by striking out all after the figures "1899," and by adding the following in lieu thereof: "Relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies."

House amendment No. 1 to Senate bill No. 29 was taken up and concurred in.

House amendment No. 1 to Senate bill No. 29:

Amend the title of Senate bill No. 29 by striking out all after the figures "1899," and by adding the following in lieu thereof: "Relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies."

House bill No. 60 was taken up.

Senator Walker moved that the bill be read third time and put upon its passage

The motion prevailed.

House bill No. 60, entitled

An act to amend article 17 of chapter 30, Revised Statutes of Missouri, 1899, entitled "Militia," by adding a new section thereto, to be known as section 8728a, and relating to the establishment of a post of the National Guard of Missouri at the Missouri Military Academy, Mexico, Mo.,

Was read third time, placed upon its passage, and passed by the following vote:

|               |           |          |            |
|---------------|-----------|----------|------------|
| YEAS—Senators |           |          |            |
| Biggs,        | Davisson, | Morton,  | Stubbs,    |
| Bradley,      | Drabelle, | Orchard, | Sullivan,  |
| Clarke,       | Haynes,   | Rollins, | Thomas,    |
| Clay,         | Jewell,   | Rubey,   | Walker,    |
| Collins,      | Lee,      | Smith,   | Whaley—22. |
| Costello,     | Matthews, |          |            |

|               |          |           |           |
|---------------|----------|-----------|-----------|
| NAYS—Senators |          |           |           |
| Dowell,       | Fields,  | Marshall, | Tandy,    |
| Farris,       | Heather, | Martin,   | Zevely—8. |

|                            |               |
|----------------------------|---------------|
| Absent with leave—Senators |               |
| Ramp,                      | Schoenlaub—2. |

Sick—Senator Cooper—1.

The emergency clause was adopted by the following vote:

|               |           |           |            |
|---------------|-----------|-----------|------------|
| YEAS—Senators |           |           |            |
| Biggs,        | Drabelle, | Matthews, | Stubbs,    |
| Bradley,      | Farris,   | Morton,   | Sullivan,  |
| Clarke,       | Haynes,   | Orchard,  | Thomas,    |
| Collins,      | Jewell,   | Rollins,  | Walker,    |
| Costello,     | Lee,      | Rubey,    | Whaley—22. |
| Davisson,     | Martin,   | Smith,    |            |

|                            |           |        |               |
|----------------------------|-----------|--------|---------------|
| NAYS—Senators              |           |        |               |
| Dowell,                    | Heather,  | Tandy, | Zevely—4.     |
| Absent with leave—Senators |           |        |               |
| Clay,                      | Marshall, | Ramp,  | Schoenlaub—5. |
| Fields,                    |           |        |               |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Biggs moved that the vote by which House bill No. 60, together with the emergency clause, be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes called up Senate bill No. 214 and moved that the vote by which bill was ordered engrossed and printed be reconsidered.

The motion prevailed.

Senator Haynes offered the five following amendments to Senate bill No. 214:

Amendment No. 1 to Senate bill No. 214:

Amend Senate bill No. 214 by striking out the first seven lines of section 1, and inserting in lieu thereof the following:

Section 1. That section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants be and the same is hereby amended by adding thereto at the end of said section the following, to wit: "And for the purpose of determining the population of such cities the aggregate vote cast for the first candidate on each ticket voted for at the last preceding presidential election in such cities shall be multiplied by five and the product shall be deemed to be the number of inhabitants in such city," so that said section, when so amended, will read as follows:

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 214:

Amend Senate bill No. 214 by striking out the words "and fifty," in the 10th line of printed bill:

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 214:

Amend Senate bill No. 214 by adding to said bill after the word "article," in the 13th line of section 1 of printed bill, the following words: "And for the purpose of determining the population of such cities the aggregate vote cast for the first candidate on each ticket voted for at the last preceding presidential election in such cities shall be multiplied by five and the product shall be deemed to be the number of inhabitants in such city;"

Read first and second times and agreed to.

Amendment No. 4 to Senate bill No. 214:

Amend Senate bill No. 214 by striking out all of section 2, and insert in lieu thereof the following: "The fact that cities in this State will hold municipal elections before the expiration of ninety days after the adjournment of the General Assembly, and that the law is indefinite as to the manner of ascertaining or determining the population of such cities, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage;"

Read first and second times and agreed to.

Amendment No. 5 to Senate bill No. 214:

Amend title to Senate bill No. 214 by striking out all the title after the word "inhabitants;"

Read first and second times and agreed to.

On motion of Senator Haynes, the bill, as amended, was ordered engrossed and printed.

Senator Orchard called up Senate bill No. 107 and moved that the bill be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 107, entitled

An act entitled an act concerning Attorney General, circuit and prosecuting attorney.

Was read third time, placed upon its passage and failed to pass by the following vote:

YEAS—Senators,

Collins,  
Drabelle,  
Farris,

Fields,  
Haynes,  
Jewell,

Lee,  
Marshall,  
Matthews,

Morton,  
Thomas,  
Whaley—12.

NAYS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,

Dowell,  
Heather,  
Martin,  
Orchard,

Ramp,  
Rubey,  
Smith,  
Stubbs,

Sullivan,  
Tandy,  
Walker,  
Zevely—16.

Sick—Senators

Costello,  
Cooper,

Davisson,

Rollins,

Schoenlaub—5.

The five following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 193, entitled

An act to repeal sections 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968 of article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to enact new sections in lieu thereof, entitled "Powers and duties of county boards of education, relating to course of study, licensing teachers, and conducting institutes and of the State Board of Education, relating to summer schools," with an emergency clause;

Also, House bill No. 366, entitled

An act to repeal section 8799, chapter 133, article 2 of the Revised Statutes of Missouri, 1899, relating to the safety and inspection of mines and to enact a new section in lieu thereof;

Also, House joint and concurrent resolution No. 13, entitled

Joint and concurrent resolution memorializing Congress to appropriate money for the opening, deepening and widening the channels of Little river for drainage purposes;

Also, House bill No. 170, entitled

An act to repeal section 7957 of article 6 of chapter 119 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, to be known as section 7957, and to take the place of said section in said article 6 of said chapter 119, and relating to insurance;

Also, substitute for House bill No. 111, entitled

An act to amend chapter 83 of the Revised Statutes of 1899 by striking out section 5157 in lieu thereof, to be known as sections 5157, 5157a and 5157b, with title amended by adding the following words at the close thereof, relating to municipal bonds and funding of municipal indebtedness,

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Rollins called up committee substitute for Senate bill No. 4 and moved that the vote by which committee substitute amendment was adopted be reconsidered.

The motion prevailed.

Senator Rollins offered the following amendment to substitute amendment to Senate bill No. 4:

Substitute to substitute amendment for Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes of 1899 by adding two new sections thereto, to be known as sections 6555a and 6555b;

Read first and second times and adopted.

Senator Rollins moved that substitute amendment, as amended, be engrossed and printed.

The motion prevailed.

Senator Rollins called up Senate bill No. 5 and moved that the bill be engrossed and printed.

The motion prevailed.

Senator Walker called up Senate bill No. 30 and moved that it be read the third time and put upon its passage.

The motion prevailed.

Senate bill No. 30, entitled

An act to regulate the travel or transportation of the white and colored passengers on railroads of this State,

Was read third time and failed to pass by the following vote:

YEAS—Senators

|           |           |         |            |
|-----------|-----------|---------|------------|
| Biggs,    | Fields,   | Martin, | Walker,    |
| Bradley,  | Heather,  | Rubey,  | Whaley—10. |
| Costello, | Marshall, |         |            |

NAYS—Senators

|           |           |             |           |
|-----------|-----------|-------------|-----------|
| Clarke,   | Farris,   | Morton,     | Stubbs,   |
| Clay,     | Haynes,   | Ramp,       | Sullivan, |
| Collins,  | Jewell,   | Rollins,    | Tandy,    |
| Davisson, | Lee,      | Schoenlaub, | Thomas,   |
| Dowell,   | Matthews, | Smith,      | Zevly—21. |
| Drabelle, |           |             |           |

Sick—Senators

|         |            |
|---------|------------|
| Cooper, | Orchard—2. |
|---------|------------|

On motion of Senator Rubey, the Senate adjourned until 10 a. m. to-morrow.

# THIRTY-SEVENTH DAY—Thursday, February 21, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Clarke presented a remonstrance from citizens of Jackson county protesting against the passage of a bill taxing foreign insurance companies;

Read and referred to the Committee on Fire, Marine and Tornado Insurance.

Senator Drabelle presented a petition from the members of the Wednesday club of St. Louis, asking for the passage of Senate bill No. 204;

Read and referred to the Committee on Municipal Corporations.

Senator Tandy presented a petition from citizens of Lawrence and Polk counties, asking for the passage of a bill allowing women over twenty-one years of age to vote at school elections;

Read and referred to the Committee on Privileges and Elections.

Senate Dowell presented a petition from the citizens of Lewis county, asking for the passage of a measure submitting to the qualified voters of the State a constitutional amendment embodying the principles known as the initiative and referendum;

Read and referred to the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Clay introduced Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right-of-way for railroad purposes over the lands belonging to the State of Missouri for the use of said asylum;

Read first time and 150 copies ordered printed.

Senator Rubey introduced Senate bill No. 291, entitled

An act to amend article IV of chapter 119, Revised Statutes of Missouri, 1899, entitled "Insurance on the stipulated premium plan," by adding a new section thereto, to be known as section 7930a;

Read first time and 150 copies ordered printed.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submits the following report:

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of 1899, entitled "Institutions—Eleemosynary,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Haynes moved that the rules be suspended and Senate bill No. 251, be taken up for engrossment.

The motion prevailed.

Senate bill No. 251 was taken up.

Senator Haynes offered the four following amendments:

Amendment No. 1 to Senate bill 251:

Amend the printed bill by striking out the first seven lines of section 1, and inserting in lieu thereof, the following:

That section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities

containing one hundred thousand inhabitants or over, be and the same is hereby amended by adding to said section and at the end thereof, the following: "And for the purpose of determining the population of such cities the aggregate vote cast for the first candidate on each ticket voted for at the last preceding presidential election in such cities, shall be multiplied by five and the product shall be deemed to be the number of inhabitants in such city, so that said section, when so amended, shall read as follows:

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 251,

Amend the printed bill by striking out the word "and," at the end of the 14th line of section 1, and also amend by striking out the word "fifty," at the beginning of the 15th line of section 1;

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 251:

Amend the printed bill by adding after the word "provisions," in the 16th line of section 1, the following words: "And for the purpose of determining the population of such cities, the aggregate vote cast for the first candidate on each ticket voted for at the last preceding presidential election in such cities shall be multiplied by five and the product shall be deemed to be the number of inhabitants in such city;

Read first and second times and agreed to.

Amendment No. 4 to Senate bill No. 251:

Strike out all of section 2, and insert in lieu thereof, the following:

The fact that cities in this State will hold municipal elections before the expiration of ninety days after the adjournment of the General Assembly, and that the law is indefinite as to the manner of ascertaining or determining the population of such cities, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage;

Read first and second times and agreed to.

Senator Haynes moved that Senate bill No. 251, as amended, be ordered engrossed and printed.

The motion prevailed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 181, entitled

An act to amend section fifty-eight hundred and thirty-six (5836), article four (4), chapter ninety-one (91) of the Revised Statutes of Missouri, 1899, entitled "Cities, towns and villages,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senate joint and concurrent resolution No. 8, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate joint and concurrent resolution No. 9:

Joint and concurrent resolution submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article IX, and enacting a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate bill No. 254, entitled

An act to create a Board of Election Commissioners in cities now having or which hereafter may have three hundred thousand inhabitants; to provide for the appointment of the same; to define duties of such board; to provide for the registration of all voters in such cities; to govern elections therein, defining offenses and providing for punishment thereof; prescribing penalties for violating the provisions of this act; and to repeal article 8, chapter 102 of the Revised Statutes of Missouri of 1899, entitled "Registration and elections in cities with three hundred thousand inhabitants or over,"

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theatres, music halls, factories, office buildings, church buildings, and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence

Senate bill No. 256, entitled

An act to amend section 3265 of article 1, chapter 27, of the Revised Statutes of 1899, relating to fees.

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs.

Senate bill No. 257, entitled

An act to amend section 5187, chapter 84 of the Revised Statutes of 1899, relating to bridges,

Was taken up, read second time, and referred to Committee on County courts and Justices of the Peace.

Senate bill No. 258, entitled

An act to regulate opera houses, theaters and public halls.

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence

Senate bill No. 259, entitled

An act to repeal section 6168 of article 9 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof.

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 260, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and

decency, or the public police and miscellaneous offenses, by adding two new sections thereto, to be known as sections 2298a and 2298b,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 261, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries.

Senate bill No. 262, entitled

An act to amend article 8 of chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new section thereto,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 263, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto and by repealing section 2298 of said article,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 264, entitled

An act to create the office of Excise Commissioner in counties which now have or may hereafter have a population of 175,000, or more, and to provide for the appointment and define the duties of such commissioner,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 265, entitled

An act authorizing each one of the judges of the Supreme Court and of the St. Louis and Kansas City Courts of Appeal to appoint a clerk,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 266, entitled

An act to amend section 4778, chapter 60, article 2 of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 267, entitled

An act to amend section 7746, article 4, chapter 118 of the Revised Statutes of Missouri for the year 1899, entitled "Salaries."

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs.

Senate bill No. 268, entitled

An act to amend section 9560, article 6, chapter 151, Revised Stat-

utes of Missouri of 1899, by striking out certain words and figures therefrom,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries.

Senate bill No. 269, entitled

An act to amend section 7071, article 1, chapter 102, entitled "Elections," in relation to appeals in contested election cases,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 270, entitled

An act to create the office of a Board of Excise Commissioners in counties having a population of 150,000 or more and less than 300,000, to provide for the election and appointment and define the duties and compensation of such Commissioners,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 271, entitled

An act to create the office of Excise Commissioner in counties which now have or may hereafter have an assessed valuation of fifteen millions of dollars or more and which now have or may hereafter have within their limits or adjoining their boundary a city having a population of three hundred thousand or more,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 272, entitled

An act to repeal section 8818 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House joint and concurrent resolution No. 13,

Memorializing Congress to appropriate money for the purpose of opening, deepening and widening the channels of Little river and St. Francis river, for drainage purposes,

Was taken up and read first time.

Committee substitute for House bill No. 111, entitled

An act to amend chapter 83 of the Revised Statutes of 1899, by striking out section 5157, and enacting three new sections in lieu thereof, to be known as sections 5157, 5157a, 5157b,

Was taken up and read first time.

Committee substitute for House bills Nos. 56, 104 and 30, entitled

An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections, to be known as sections 9696a, 9696b, 9696c, 9696d, 9696e, 9696f, 9696g, 9696h, 9696i, 9696j, 9696k, 9696l, 9696m, 9696n, 9696o, 9696p, 9696q, 9696r, 9696s, 9696t, 9696u, 9696v, 9696w, 9696x, 9696y, 9696z, with an emergency clause,

Was taken up and read first time.

House bill No. 170, entitled

An act to repeal section 7957 of article VI of chapter 119 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, to be known as section 7957, and to take the place of said

section in said article VI, of said chapter 119, and relating to insurance,

Was taken up and read first time.

House bill No. 193, entitled

An act to repeal sections 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968 of article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to enact new sections in lieu thereof, entitled "Powers and duties of county boards of education relating to course of study, licensing teachers and conducting institutes, and of the State Board of Education relating to summer schools," with an emergency clause,

Was taken up and read first time.

House bill No. 234, entitled

An act changing the names of certain eleemosynary institutions,

Was taken up and read first time.

House bill No. 334, entitled

An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly,

Was taken up and read first time.

House bill No. 366, entitled

An act to repeal section 8799, chapter 133, article 2 of the Revised Statutes of the State of Missouri of 1899, relating to the safety and inspection of mines, and to enact a new section in lieu thereof relating to the safety and inspection of mines,

Was taken up and read first time.

Committee substitute for House bill No. 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvements of the eleemosynary and penal institutions of the State for the years 1901 and 1902,

Was taken up and read first time.

House bill No. 13, entitled

An act to prevent persons and corporations from working laborers underground more than eight hours in a day, and fixing eight hours as a day for such laborers,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Committee substitute to House bill No. 65, entitled

An act to apportion the State of Missouri into representative districts, and to provide for the representation thereof,

Was taken up, read second time, and referred to Committee on Representative Apportionment and Redistricting the State.

House bill No. 120, entitled

An act to fix the liability of railroad and other corporations for damages done by them or their contractors in the construction of railroads,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 146, entitled

An act amending section ten thousand five hundred and eleven of the Revised Statutes of 1899, relating to the Board of Visitors of the State University,

Was taken up, read second time, and referred to Committee on University, Normal Schools, Agricultural College and School of Mines.

House bill No. 155, entitled

An act to repeal section 9084, chapter 147, article IV of the Revised Statutes of the State of Missouri, in relation to surplus fees of recorders of deeds, and enacting in lieu thereof a new section, to be known as section 9084,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 224, entitled

An act entitled an act to amend chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Corporations, private," by repealing section 1194 of said Revised Statutes, being part of article 4 of said chapter concerning the regulation of freight charges, and to enact in lieu thereof a new section,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 95, entitled

An act entitled an act to repeal section 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336 of article 14, chapter 168 of the Revised Statutes, 1899, of Missouri, entitled "Roads, highways and bridges," and enact new sections in lieu thereof, to be known as sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries.

House bill No. 112, entitled

An act to amend section three thousand seven hundred and ninety-one (3791), article I, chapter 42, Revised Statutes of Missouri, 1899, relating to juries,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 167, entitled

An act to repeal section 1825 of article 2, chapter 12, Revised Statutes of Missouri, and enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 197, entitled

An act providing for the appointment of park commissioners in cities of the second class,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 212, entitled

An act amending section 6168 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Miscellaneous provisions applying to cities, towns and villages,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 238, entitled

An act to amend section 8919, article 1, chapter 141, Revised Statutes of Missouri, 1899, relating to release of State penitentiary convicts under the three-fourths rule,

Was taken up, read second time, and referred to Committee on Penitentiary and Reform Schools.

House bill No. 252, entitled

An act amending section 6169 of article 9 of chapter 91 of the Revised Statutes of Missouri, 1899, by striking out the figures "100,000," in the third line of said section, and inserting in lieu thereof the figures "150,000,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 302, entitled

An act to amend section 7808 by inserting in the fourth line thereof, between the figure "3" and the word "school," the following words and figures, viz.: "State Hospital for Insane No. 4." "The Missouri Colony for the Feeble-Minded and Epileptic," so that said section will read as follows,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House joint and concurrent resolution No. 2, entitled

Joint and concurrent resolution to amend section 8 of article 9 of the Constitution of the State of Missouri,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, entitled

An act to repeal sections 9427, 9432, 9436 and 9437, article 1, chapter 151, Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 9427, 9432, 9436 and 9437,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries.

Senator Dowell moved that Senate bill No. 141 be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 141, entitled

An act to amend section 1823, article 2, chapter 15, Revised Statutes of 1899, entitled "Offenses against the lives and persons of individuals."

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Dowell,  | Matthews,   | Stubbs,    |
| Bradley,  | Farris,  | Morton,     | Sullivan,  |
| Clarke,   | Fields,  | Orchard,    | Tandy,     |
| Clay,     | Haynes,  | Ramp,       | Thomas,    |
| Collins,  | Heather, | Rubey,      | Walker,    |
| Costello, | Jewell,  | Schoenlaub, | Whaley—26. |
| Davisson, | Lee,     |             |            |

NAYS—Senators

Drabelle, Rollins—2.

Absent—Senators

Marshall, Martin, Smith, Zevely—4.

Sick—Senator Cooper—1.

Leave of absence was granted to Senator Martin.

Title to the bill read and agreed to.

Senator Dowell moved that the vote by which Senate bill No. 147 was passed be reconsidered.

Senator Whaley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 148 was taken up and laid over informally.

Senate bill No. 192 was taken up and laid over informally.

Committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114 was taken up.

Senator Bradley offered the following amendment:

Amendment No. 1 to Committee Substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of the act, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. The franchises (other than the right to be a corporation) of all railroad, street railroad, bridge, telegraph, telephone, conduit, water, electric light and gas companies, and of all other similar corporations owning, operating and managing public utilities, and of all quasi public corporations possessing special and peculiar privileges and authorized by law to perform any public service (except corporations formed for religious, educational and benevolent purposes), shall be assessed for the purposes of taxation at the same time and in the same manner as other property of such corporation is now or may hereafter be required to be assessed; and there shall be levied upon the assessed value of such franchise the same rate of taxation as may be levied upon other property of such corporation. Said tax shall be due and payable, and like proceedings may be had to collect the same, and when collected it shall be disposed of in the same way, as the taxes imposed upon the other property of such corporation.

Sec. 2. The State Board of Equalization in cases of railroads, street railroads, bridges, telegraph, telephone companies, and all other corporations whose property the State Board of Equalization is now or may hereafter be required to assess and the county assessor, in case of the other quasi public corporations referred to in the preceding section, shall ascertain, fix and determine the total value for taxable purposes of the entire property of such corporation, tangible and intangible, in this state, and shall then assess the tangible property and deduct the amount of such assessment from the total valuation and enter the remainder upon the assessment list or in the assessor's books, under the head of "all other property."

Sec. 3. There being no statute now in force expressly directing the assessment and taxation of the franchise of the corporations specified in this act, an emergency exists, and this act shall take effect and be in force from and after its passage.

Read first and second times.

Senator Bradley moved its adoption.

Senator Walker moved that the amendment to the substitute be ordered printed and that the printing be given precedence.

The motion was lost by the following vote:

#### YEAS—Senators

Biggs,  
Clarke,  
Clay,  
Drabelle,

Haynes,  
Martin,  
Orchard,

Rubey,  
Sullivan,  
Tandy,

Walker,  
Whaley,  
Zevely—13.

#### NAYS—Senators

Bradley,  
Collins,  
Costello,  
Dowell,  
Farris,

Fields,  
Heather,  
Jewell,  
Lee,  
Marshall,

Matthews,  
Morton,  
Ramp,  
Rollins,

Schoenlaub,  
Smith,  
Stubbs,  
Thomas—18.

Absent with leave—Senator Davisson—1.

Sick—Senator Cooper—1.

The question recurring on the adoption of the amendment to the substitute for Senate bills Nos. 1, 6, 59, 105, 114, that was offered by Senator Bradley.

Senator Drabelle moved that the Senate go into executive session. The motion prevailed.

The regular session resumed.

On motion of Senator Morton, the Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The hour of recess having expired the President called the Senate to order.

Senator Haynes introduced Senate bill No. 292, entitled

An act to amend chapter 20, Revised Statutes of the State of Missouri, 1899, entitled "Divorce, alimony, and custody of children, by adding two new sections thereto, to be known as section 2932a and 2932b ;

Read first time and 150 copies ordered printed.

Senator Morton called for the regular order, which was the consideration of the amendment to the substitute for Senate bills Nos. 1, 6, 59, 105 and 114.

The four following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

Committee substitute for House bill No. 247, entitled

An act to repeal section 4856, chapter 72, article 1, Revised Statutes of 1899, and to enact a new section in lieu thereof, to be known as section 4856, with title amended, by adding at the end thereof the following words: "Relating to asylums and insane persons."

Also, House bill No. 418, entitled

An act to appropriate money to pay deficiencies in the expenses of the State government for the years 1899 and 1900, with an emergency clause ;

Also, House bill No. 178, entitled

An act to amend article 2 of chapter 69 of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large," by enacting a new section, to be known as section 4777a ;

Also, House bill No. 216, entitled

An act to authorize the transfer of forty thousand dollars from the Insurance Department fund to the State Revenue fund, with title amended, by striking out the word "forty," and insert in lieu thereof the word "fifty," in line one of title.

In which the concurrence of the Senate is respectfully requested ; Which were read.

Senator Rubey offered the following amendment to the amendment to the substitute for Senate bills Nos. 1, 6, 59, 105, 114 :

Amendment No. 1 to amendment for substitute for Senate bills Nos. 1, 6, 59, 105 and 115 :

Amend the amendment by striking out all after section 2, and inserting in lieu thereof the following :

Section 3. In order to procure evidence to determine the value of franchises taxable under this act, all railroad, street railroads, bridge, telegraph, telephone companies, and all other corporations now or hereafter assessed by the State Board of Equalization and all other quasi public corporations now or hereafter assessed by the county assessor, shall, annually, between the first day of March and the first day of April in each and every year, make and deliver to the State Board of Equalization or to the county assessor,

a statement verified by oath of its president, cashier, secretary, treasurer, manager or chief officer, or agent in such form as may be prescribed, showing the following facts, namely: The name and principal place of business of the corporation, company or association, the kind of business engaged in, the amount of capital stock paid up, the amount of preferred stock, the number of shares of each, the par and real value thereof, the highest price for which said stock was sold at a bona fide sale at any time within twelve months next before the first day of March of the year in which the statement is required to be made, the amount of surplus funds and undivided profits, and the value of all other assets; the total amount of indebtedness, and whether secured by mortgage; the amount and number of bonds, and the interest they bear; the amount of gross earnings springing from, arising out of or in any way emanating from their plant used in this State, and the gross income, including interest on their investments and incomes from all other sources for twelve months next preceding the first day of March of the year in which this statement is required; their net earnings, the amount and kind of real and personal property owned or used by them and where situated, assessed or liable to assessment in this State, and the fair cash value thereof, the highest cash or market value of the stock or bonds at any time during the year, preceding the time of filing said statement, and the amount of dividend paid thereon, and such other facts as may be required.

Sec. 4. Where the line or lines or property of any corporation, company, or association extend beyond the limits of this State, the statement shall, in addition to the other facts hereinbefore required, show the length of the entire line or property operated, owned, leased or controlled in this State, and in any county, incorporated city, town or taxing district, and the entire line or property operated, controlled, leased or owned elsewhere. If the corporation, company or association be organized under the laws of any other state or government, or organized or incorporated in this State, but operating or conducting its business in other states as well as in this State, the statement shall show the following facts in addition to the facts hereinbefore required; the gross and net income or earnings received in this State and out of this State on business done in this State, and the entire gross receipts of the corporation, company, or association in this State and elsewhere during the twelve months next before the first day of March of the year in which the statement is required to be made.

Sec. 5. Should any corporation required to make the report as hereinbefore provided be in the hands of, or under the control of a receiver or other person, it shall be the duty of such receiver or other person, to make the reports, returns and valuations as hereinbefore required.

Sec. 6. Any corporation, company or association, subject to assessment and taxation, under the provisions of this act, or any officers thereof, wilfully failing or refusing to make reports as required herein, shall be deemed guilty of a misdemeanor, and fined five hundred dollars for each and every offense, and fifty dollars for each day the same is not made after it is required by this act.

Sec. 7. There being no statute now in force expressly directing the assessment and taxation of the franchises of the corporations specified in this act, an emergency exists, and this act shall take effect and be in force from and after its passage.

Which was read.

Senator Rubey moved the adoption of the amendment to the amendment to the substitute for Senate bills Nos. 1, 6, 59, 105, 114;

Which was lost by the following vote:

YEAS—Senators

|                 |                      |                   |           |
|-----------------|----------------------|-------------------|-----------|
| Biggs,<br>Clay, | Costello,<br>Martin, | Rubey,<br>Walker, | Whaley—7. |
|-----------------|----------------------|-------------------|-----------|

NAYS—Senators

|  |   |  |   |
|--|---|--|---|
| Bradley,<br>Clarke,<br>Collins,<br>Davisson,<br>Dowell,<br>Drabelle, | Farris,<br>Fields,<br>Haynes,<br>Heather,<br>Jewell,<br>Marshall, | Matthews,<br>Morton,<br>Orchard,<br>Ramp,<br>Rollins,<br>Schoenlaub, | Smith,<br>Stubbs,<br>Sullivan,<br>Tandy,<br>Thomas,<br>Zevely—24. |
|--|---|--|---|

Absent with leave—Senator Lee—1.

Sick—Senator Cooper—1.

The question recurring on the adoption of the amendment to the substitute for Senate bills Nos. 1, 6, 59, 105, 114;

Which was adopted by the following vote:

YEAS—Senators,

|  |   |   |   |
|--|---|---|---|
| Biggs,<br>Bradley,<br>Clarke,<br>Collins,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Heather,<br>Jewell,<br>Lee, | Marshall,<br>Matthews,<br>Morton,<br>Orchard,<br>Ramp,<br>Rollins,<br>Schoenlaub, | Smith,<br>Stubbs,<br>Sullivan,<br>Tandy,<br>Thomas,<br>Zevely—27. |
|--|---|---|---|

NAYS—Senators

|                  |        |         |           |
|------------------|--------|---------|-----------|
| Clay,<br>Martin, | Rubey, | Walker, | Whaley—5. |
|------------------|--------|---------|-----------|

Sick—Senator Cooper—1.

Senator Whaley sent up and had read the following statement:

By way of explaining my vote I wish to say that in voting against the adoption of this substitute I am guided solely by my conscience and my judgment, I think this is a mistake, but it is possible that I am mistaken in my judgment. I do not impugn the motives of any Senator on this floor or individual off of it; and as a reasonable man and an honest Democrat I shall gracefully submit to the voice of the majority and make the best of it, and bide my time and hope to correct the error (if error) in the future. I cast my vote against the adoption of this substitute.

Senator Morton moved that the committee substitute to Senate bills Nos. 1, 6, 59, 105, 114, as amended, be agreed to.

The motion prevailed by the following vote:

YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Matthews,   | Smith.     |
| Bradley,  | Fields,   | Morton,     | Stubbs,    |
| Clarke,   | Haynes,   | Orchard,    | Sullivan,  |
| Collins,  | Heather,  | Ramp,       | Tandy,     |
| Costello, | Jewell,   | Rollins,    | Thomas,    |
| Davison,  | Lee,      | Rubey,      | Whaley,    |
| Dowell,   | Marshall, | Schoenlaub, | Zevely—30. |
| Drabelle, | Martin,   |             |            |

NAYS—Senators

Clay, Walker—2.

Sick—Senator Cooper—1.

Senator Morton moved that the committee substitute for Senate bills Nos. 1, 6, 59, 105, 114, as amended, be ordered engrossed and printed and the printing to have precedence.

The motion prevailed.

Senator Morton moved that when the Senate adjourned that it adjourn to meet under the rules.

The motion prevailed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the four following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 26, entitled

An act to amend section 9387 of article 9 of chapter 149 of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies;

Also, Senate bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies;

Also, Senate bill No. 29, entitled

An act to amend section 9391 of article 9 of chapter 149, of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph and telephone and express companies;

Also, Senate bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies.

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the four following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred and fifty thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof;

Also, Senate bill No. 175, entitled

An act authorizing local fire insurance agents to make schedules for rating in cities and counties where they are located;

Also, Committee substitute for Senate bill No. 119, entitled

An act to provide for the appointment of a Factory Inspector and defining his term of service, salary, powers and duties;

Also, Senate bill No. 39, entitled

An act to amend section 8012 of the Revised Statutes of Missouri of 1899, entitled "Insurance," by adding a proviso thereto,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Which were read.

On motion of Senator Collins, Senate adjourned until 10 a. m. tomorrow.

### THIRTY-EIGHTH DAY—Friday, February 22, 1901.

The Senate met pursuant to adjournment.

President Pro Tem. Farris in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Rubey introduced Senate joint and concurrent resolution No. 13,

Providing for the amendment of article ten (10) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (10), and inserting in lieu thereof a new section, to be known and designated as section twelve (12), relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri;

Read first time and 150 copies ordered printed.

House bill No. 178, entitled

An act to amend article 2, chapter 69, of the Revised Statutes of 1899, entitled "Animals restrained from running at large," by enacting a new section, to be known as section 4777a;

Read first time and 150 copies ordered printed.

House bill No. 216, entitled

An act to authorize the transfer of fifty thousand dollars from the Insurance Department fund to the State Revenue fund;

Read first time and 150 copies ordered printed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 122, entitled

An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages, with an emergency clause,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senator Walker, from the Committee on Judiciary, submitted the thirteen following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 58, entitled

An act to amend section 5157 of article 1, chapter 83 of the Revised Statutes of Missouri of 1899, entitled "Bonds, municipal, etc.,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 225, entitled

An act to amend chapter 13 of the Revised Statutes of 1899, entitled "Costs in civil cases," by adding a new section thereto, relating to cost bonds in civil cases,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 233, entitled

An act to amend section 3787 of article 2 chapter 42 of the Revised Statutes of Missouri of 1899, entitled "Juries,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 7, entitled

An act to amend section 581, Revised Statutes of Missouri, 1899, relating to orders of publication,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 28, entitled

An act to amend chapter 86 of the Revised Statutes of 1899, relating to burial grounds, by adding a new section thereto, to be known as section 1517a,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 200, entitled

An act to amend section 1740, article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record in Twenty-Second Judiciary Circuit," with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 79, entitled

An act to amend article 1, chapter 42, Revised Statutes of 1899,

entitled "Juries, grand and petit," by adding a new section thereto, relating to the number of jurors necessary to concur in order to render a verdict in courts of record,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred committee substitute for House bill No. 98, entitled

An act to amend section 822, chapter 8, article 11, Revised Statutes, relating to change of venue,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 109, entitled

An act to amend section 1723 of article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record," and to enact a new section in lieu thereof, to be known as section 1723, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 182, entitled

An act to amend section 1720, article 3, chapter 14 of the Revised Statutes of 1899, entitled "Circuit courts,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 119, entitled

An act to amend section 1727 of article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 149, entitled

An act to amend section 1584, article 1, chapter 14, Revised Statutes of 1899, entitled "Courts of record," and relating to the docketing of cases in said courts,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 221, entitled

An act to amend section 3500, chapter 34, Revised Statutes of 1899, entitled "Guardians and curators."

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Bradley moved that Senate bill No. 233 be indefinitely postponed.

The motion prevailed.

Senator Zevely moved that Senate bill No. 58 be indefinitely postponed.

The motion prevailed.

Senator Zevely, from the Committee on Printing and Joint Printing, submitted the following report:

Mr. President: Your Committee on Printing and Joint Printing, to which was referred Senate bill No. 159, entitled

An act to amend section 9013, chapter 145, Revised Statutes, 1899, entitled "Public printing, etc.,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

Senate bill No. 273, entitled

An act to repeal section 8811 of article 2, chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

Senate bill No. 274, entitled

An act to regulate the sale of cocaine and of preparations containing cocaine,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 275, entitled

An act to amend section 3020 of the Revised Statutes of Missouri of 1899, relating to granting dramshop licenses in cities of two hundred thousand inhabitants or over, by authorizing the transfer of said licenses, and by adding a new section to said act, to be known as section 3026a,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 276, entitled

An act providing for the registration of voters for primary purposes in all cities and counties in this State which now have or which may hereafter have over one hundred and fifty thousand inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses and prescribing penalties for violating the provisions of this act,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 277, entitled

An act to amend sections 7131, 7132, 7138, 7142 and 7144, in article 4, chapter 102 of the Revised Statutes of Missouri of 1899,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 278, entitled

An act to repeal sections 9523 and 9524 of article 4 of chapter 151 of the Revised Statutes of the State of Missouri of 1899, entitled "Roads and highways," and to enact two new sections in lieu thereof,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries.

Senate bill No. 279, entitled

An act to repeal section 8563, chapter 129 of the Revised Statutes of Missouri, 1899, entitled "Merchant's license,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 280, entitled

An act to repeal section 3047, of chapter 23, of the Revised Statutes of Missouri, 1899, entitled "Druggists and their licenses,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 281, entitled

An act to amend article 1, entitled "Dramshops," of chapter 22 of Revised Statutes of 1899, by adding three new sections thereto, to be known as sections 3018a, 3018b and 3018c,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 282, entitled

An act to provide for the election of justices of the peace and constables in cities now having, or which hereafter may have three hundred thousand inhabitants or more, to define the jurisdiction of said justices and the practice in the courts thereof, and the duties of said justices and constables, and fix their term of office; and to repeal article twenty-two, entitled "Justices and constables in cities with 300,000 inhabitants or over," of chapter ninety-one of the Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

Senate bill No. 283, entitled

An act to repeal sections 6539, 6540, 6541, 6544 and 6554, article 23, chapter 91, of the Revised Statutes of the State of Missouri, 1899, relating to juries in cities of over one hundred thousand inhabitants, and to enact new sections in lieu thereof,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 284, entitled

An act to collect a corporate franchise tax from all corporations, joint stock companies or associations; to assess and tax the franchises owned, used and enjoyed by corporations and persons, and to amend the general revenue law,

Was read second time and referred to Committee on Ways and Means.

Senate bill No. 285, entitled

An act to collect a corporate franchise tax from all corporations, joint stock companies or associations; to assess and tax the franchises owned, used and enjoyed by corporations and persons, and to amend the general revenue law by providing for the assessment and taxation of certain kinds of property by the State Board of Equalization,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 286, entitled

An act to amend section 5968, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senator Tandy, from the Committee on Engrossed Bills, submitted the two following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898;

Also, Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled "Institutions, eleemosynary,"

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

House bill No. 264, entitled

An act to repeal sections 3447 and 3448 of chapter thirty-three of the Revised Statutes of Missouri of 1899,

Was taken up and read first time.

House bill No. 88, entitled

An act to amend section 2286, article 8 of chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Crimes and punishments," and relating to certain substances not to be used in compounds to be used in the preparation of food, by striking out the words "or alum," in the sixth (6th) line, and at the end of said section, and also by inserting between the words "bismuth" and "ammonia," in the sixth line of said section, the word "or,"

Was taken up and read first time.

House bill No. 199, entitled

An act to amend section 6574 of the Revised Statutes of the State of Missouri of 1899, entitled "Official oath, etc.," and pertaining to commissioners of deeds,

Was taken up read first time.

House bill No. 303, entitled

An act to repeal sections 4231 and 4232 of article 2, chapter 47, Revised Statutes of Missouri, 1899, entitled "Liens for keeping horses and other animals," and to enact two new sections in lieu thereof, to be known as sections 4231 and 4232, and relating to the lien on offspring of animals,

Was taken up read first time.

House bill No. 287, entitled

An act relating to county clerks retaining certain fees arising from official work performed under the ditching and drainage law, in addition to fees allowed for other work under the Statutes of 1899,

Was taken up read first time.

House bill No. 251, entitled

An act to amend section 4315, chapter 50 of the Revised Statutes, relating to marriages,

Was taken up read first time.

House bill No. 367, entitled

An act to repeal section 8791, chapter 133, article 1 of the Revised Statutes of 1899, relating to mines and mining, and to enact a new section in lieu thereof, in relation to mines and mining,

Was taken up read first time.

House bill No. 323, entitled

An act to repeal section 1937 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Was taken up read first time.

House bill No. 239, entitled

An act to repeal sections 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1219 of article 4, chapter 12, Revised Statutes of Missouri, 1899, relating to Railroad Commissioners,

Was taken up read first time.

House bill No. 241, entitled

An act to amend section 1103 of article 2, relating to railroad companies, in chapter 12 of the Revised Statutes of Missouri of 1899, entitled "Private corporations,"

Was taken up read first time.

House joint and concurrent resolution No. 1, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, providing for the reservation to the people the right to propose measures for enactment, and to require enactments of the General Assembly to be submitted to a vote of the people for ratification,

Was taken up read first time.

House bill No. 178, entitled

An act to amend article 2 of chapter 69 of the Revised Statutes of 1899, entitled "Animals restrained from running at large," by enacting a new section, to be known as section 4777a,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 216, entitled

An act to authorize the transfer of fifty thousand dollars from the Insurance Department fund to the State revenue fund,

Was taken up, read second time, and referred to Committee on Appropriations.

Committee substitute for House bill No. 247, entitled

An act to repeal section 4856, chapter 72, article 1, Revised Statutes, 1899, and to enact a new section in lieu thereof, to be known as section 4856,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House bill No. 418, entitled

An act to appropriate money to pay the deficiencies in the expenses of the State government for the years 1899 and 1900, with emergency clause,

Was taken up, read second time, and referred to Committee on Appropriations.

Senator Morton moved that Senate bill No. 213 be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 213, entitled

An act to re-enact section 2303 and section 2304 of the Revised Statutes of Missouri, 1899, entitled "Destruction of certain birds prohibited,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,  
Dowell,  
Drabelle,

Fields,  
Jewell,  
Lee,  
Martin,  
Matthews,  
Morton,  
Orchard,

Ramp,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith,  
Stubbs,

Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—26.

## NAYS—None.

## Absent with leave—Senators

Biggs,  
Costello,

Farris,  
Haynes,

Heather,

Marshall—6.

## Sick—Senator Cooper—1.

Senators Biggs, Haynes, Farris, Heather, Marshall, Martin, Cooper and Costello were granted leave of absence.

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which Senate bill No. 213 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Clarke called up Senate bill No. 237.

Senator Clarke moved that the vote by which amendment No. 1 to Senate bill No. 237 was adopted be reconsidered.

The motion prevailed.

Senator Clarke offered the following substitute for amendment No. 1 to Senate bill No. 237 and moved its adoption:

Substitute for amendment No. 1 to Senate bill No. 237:

Amend section number one of Senate bill No. 237 by inserting after the word "hundred," in the first line thereof, the words "and fifty;" and insert "and fifty," in 2nd line of section 11, between "hundred" and "thousand;"

Read first and second times and adopted.

Senator Walker called up Senate bill No. 256, and on motion, it was ordered engrossed and printed.

Senate bill No. 84, on motion of Senator Bradley, was ordered engrossed and printed.

Senate bill No. 197, on motion of Senator Martin, was ordered engrossed and printed.

Senate bill No. 198, on motion of Senator Martin, was ordered engrossed and printed.

Senate bill No. 199, on motion of Senator Martin, was ordered engrossed and printed.

Senate bill No. 245, on motion of Senator Orchard, was ordered engrossed and printed.

Senator Smith called up Senate bill No. 151 and offered the following amendment:

Amendment No. 1 to Senate bill No. 151:

Strike out the word "article" wherever it appears, and insert in lieu thereof the word "section;" strike out the words "any person in lawful custody charged with or under conviction of an indictable offense," in the first and second lines of printed bill, and insert in lieu thereof the

following: "Any person convicted of a felony which shall not be set aside or reversed;"

Amend article 3 of printed bill by striking out the words "charged with or under conviction of an indictable offense" and insert in lieu thereof the words "convicted of a felony, which shall not be set aside or reversed;"

Read first and second times and adopted.

Senator Smith moved that Senate bill No. 151, as amended, be ordered engrossed and printed.

The motion prevailed.

Senator Clarke offered amendment No. 2 to Senate bill No. 237, as follows:

Amendment No. 2 to Senate bill No. 237:

Amend section one by inserting the words "judge of the criminal court or a," before the word "majority," in the 6th line thereof; and also by inserting "judge of the criminal court or the," between "the" and "judges," in the 9th line of said section;

Read first and second times and adopted.

Senator Clarke moved that Senate bill No. 237, as amended, be ordered engrossed and printed.

The motion prevailed.

Senator Rubey moved that adjournment, when taken, be under the rules.

The motion prevailed.

Senator Bradley called up House bill No. 166 and moved the bill be read third time and placed upon its passage.

The motion prevailed.

House bill No. 166, entitled

An act to repeal sections 6819, 6820 and 6821 of article 6 of chapter 97 of the Revised Statutes of Missouri, 1899, and to enact three new sections in lieu thereof, entitled "Depositories for county funds,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Drabelle, | Rollins,    | Tandy,     |
| Clarke,   | Fields,   | Rubey,      | Thomas,    |
| Clay,     | Jewell,   | Schoenlaub, | Walker,    |
| Collins,  | Lee,      | Smith,      | Whaley,    |
| Davisson, | Matthews, | Stubbs,     | Zevely—22. |
| Dowell,   | Orchard,  |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |         |              |
|-----------|-----------|---------|--------------|
| Biggs,    | Haynes,   | Martin, | Ramp,        |
| Costello, | Heather,  | Morton, | Sullivan—10. |
| Farris,   | Marshall, |         |              |

Sick—Senator Cooper—1.

The title of the bill was read and agreed to.

Senator Bradley moved that the vote by which House bill No. 166 passed be reconsidered.

Senator Dowell moved that motion be laid upon the table.

The latter motion prevailed.

Senator Drabelle introduced Senate joint and concurrent resolution No. 14,

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning State Senators and the

formation of Senatorial districts in counties which are entitled to more than one Senator;

Read first time and 150 copies ordered printed.

Senator Rollins moved that three hundred additional copies of Senate bill No. 9 be printed for the use of the Senate.

The motion prevailed.

The President announced the reception from the House of Representatives, enrolled

House bill No. 125, entitled

An act to amend section 13 of the act creating the criminal court of Jackson county, relating to changes of venue in said court;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill, No. 139, entitled

An act to amend section 1526 of chapter 12, article 18 of the Revised Statutes of the State of Missouri, 1899, entitled "Corporations, private;"

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 24, entitled

An act to amend section 2759, of article 12, relating to proceedings before justices in misdemeanors of chapter 16, entitled practice and proceedings in criminal cases of the Revised Statutes of Missouri of 1899;"

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, committee enrolled substitute for House bill No. 4, entitled

An act to amend section 5064 and 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 60, entitled

An act to amend article 17 of chapter 30, Revised Statutes of Missouri, 1899, entitled "Militia," by adding a new section thereto, to be known as section 8728a, and relating to the establishment of a post of the National Guard of Missouri at the Missouri Military Academy, Mexico, Missouri;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 80, entitled

An act to amend sections 3994 and 4001 of article 7, chapter 43, Revised Statutes of Missouri, 1899, entitled "Justices' courts," and relating to appearance, pleadings, adjournments and consolidation of actions;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, Senate enrolled bill No. 27, entitled

An act to amend section 9388 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 29, entitled

An act to amend section 9391 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill

was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 26, entitled

An act to amend section 9387 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges, and telegraph, and express franchises,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 28, entitled

An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, concerning the taxation of bridges and telegraph and express franchises,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 122, entitled

An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Martin moved to adjourn until 10 a. m. tomorrow.

The motion prevailed.

## FORTIETH DAY—Tuesday, February 26, 1901.

The Senate met pursuant to adjournment.

A quorum present.

The President in the chair.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Rubey presented two remonstrances from many citizens against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicine;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Walker presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Walker presented a petition from the citizens of Warren county, asking for the submission of a constitutional amendment embodying the principles of direct legislation, known as the initiative and referendum;

Read and referred to the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Martin presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Whaley presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Whaley presented two petitions from the citizens of Kansas City, asking for the passage of House bills Nos. 137 and 138, requiring that all practitioners of medicines shall be tested by examination and licensed by the State;

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Zevely presented three remonstrances from the citizens of Cole county against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Dowell presented four remonstrances from the citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Dowell presented a petition from the citizens of Lura, asking for the passage of an anti-cigarette law;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Drabelle presented a remonstrance from the retail merchants of the city of St. Louis against the passage of Senate bill No. 110, in relation to the adulteration of food stuffs;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Whaley presented several petitions from citizens of Kansas City and other parts of the State, asking for the passage of House bills, Nos. 107 and 138, whereby all practitioners of medicine shall be tested by examination and licensed by the State;

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Lee presented a remonstrance from citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Tandy introduced Senate bill No. 303, entitled

An act to amend sections 7081 and 7082 of the Revised Statutes of 1899, regarding convention of delegates and primary election for the nomination of candidates for office by striking out certain words;

Read first time and 150 copies ordered printed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the three following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 286, entitled

An act to amend section 5068, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 259, entitled

An act to repeal section 6168 of article 9, chapter 91 of the Revised Statutes of Missouri, 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 46, entitled

An act to create the office of license collector; provide for the election of a license collector; regulate his salary and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof in cities now having or which hereafter may have three hundred thousand inhabitants or more, and to provide for the payment of the salaries and expenses of said office of license collector,

Begs leave to report that it has examined the same and recommends that it do pass with amendments Nos. 1 and 2;

Which were read.

Amendment No. 1 to Senate bill No. 46:

Amend Senate bill No. 46, section 2 by striking out of lines one and two of said section the following words: "on the first Tuesday in April, A. D. nineteen hundred and one, and on the first Tuesday in April," and inserting in lieu thereof the following words: "on the Tuesday next following the first Monday in November, A. D. 1902, and;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 46:

Amend Senate bill No. 46 by striking out all of section eleven thereof and by inserting in lieu of the same a new section, to be known as section eleven, to read as follows:

Section 11. Immediately on the taking effect of this act the mayor of the city of St. Louis shall appoint a license collector under this act who shall hold his office for a term ending on the first day of January, A. D. 1903, and until his successor is elected and qualified.

Read first and second times and agreed to.

Senator Collins, from the Committee on Penitentiary and Reform Schools, submitted the two following reports:

Mr. President: Your Committee on Penitentiary and Reform Schools, to which was referred Senate bill No. 176, entitled

An act to amend section 8884 of article 1 of chapter 141, entitled "Penitentiary,"

Begs leave to report that it has examined the same and recommends that it do pass, with the accompanying amendment;

Amendment No. 1 to Senate bill No. 176:

Amend Senate bill No. 176 by adding thereto the following: "Any violation of this provision shall be deemed a felony, and upon conviction shall be punished by imprisonment in the penitentiary not less than three nor more than ten years;

Read first and second times and agreed to.

Mr. President: Your Committee on Penitentiary and Reform Schools, to which was referred House bill No. 238, entitled

An act to amend section 8919, article 1, chapter 141, Revised Statutes of Missouri, 1899, relating to release of State penitentiary convicts under three-fourths rule,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the five following reports:

Mr. President: Your Committee on Education, to which was referred Senate bill No. 194, entitled

An act to repeal section 9874 of article 2, chapter 154 of the Revised Statutes of 1899, entitled "City, town and village schools," and to enact a new section in lieu thereof, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 217, entitled

An act to repeal section 9800 of article 1, chapter 154 of the Revised Statutes of 1899, and enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide for the organization and government of such consolidated districts, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred committee substitute for House bill No. 8, entitled

An act to amend section 9767, chapter 154, entitled "Schools," of the Revised Statutes of the State of Missouri, 1899, by adding at the close of such section, the following words: "Unless a suitable building is procured within twenty days, in which to continue the school to the end of the term,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred House bill No. 193, entitled

An act to repeal sections 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968 of article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to enact new sections in lieu thereof, entitled "Powers and duties of county boards of education relating to course of study, licensing teachers and conducting institutes, and of the State Board of Education relating to summer schools," with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Clay, from the Committee on Labor, Mines and Manufactories, submitted the following report:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2, chapter 133 of the Revised Statutes of Missouri, 1899, and to enact two new sections in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass with the following amendments numbered 1, 2 and 3 hereto annexed:

Which was read.

Amendment No. 1 to Senate bill No. 143:

Amend Senate bill No. 143 by inserting after the word "retired," in the eighteenth line of section 8826, the following words: "to a safe distance;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 143:

Amend Senate bill No. 143 by adding to section 8826 the following new section, to be known as section 8826a:

Section 8826a. Any person, corporation or association engaged in the sinking of a well or shaft, whether as owner, agent or employe, in which it is necessary to use blasting powder, dynamite or other explosives, and where hoisting apparatus of any kind is used, shall provide and use, or cause to be used, an electric battery and fuses for firing all shots of explosives in the shaft, and said shots shall be fired by the battery while placed above ground and connected to the shots by means of copper wire or other suitable conductor; and no owner, agent or employe engaged in sinking a well or a shaft or operating any mine shall use caps and fuse or any other method of exploding shots than that above specified: Provided, however, that the provisions of this and the preceding section shall not apply to lead and zinc mines in which are employed less than ten men under ground on any shaft.

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 143:

Amend Senate bill No. 143 by striking out all of section 8827 and substituting the following new section in lieu thereof:

Section 8827. Penalty.—Any agent, owner or operator of any coal, lead, zinc, iron and copper mines, and of granite, stone and other quarries in this State violating the provisions of the two preceding sections shall be deemed guilty of a misdemeanor and

for each offense, upon conviction, shall be fined not less than fifty nor more than two hundred dollars.

Read first and second times and agreed to.

Senator Clay moved that the rules be suspended and that the bill, as amended, be engrossed and printed.

The motion prevailed.

Senate bill No. 143, as amended, on motion of Senator Clay, was ordered engrossed and printed.

Senator Clay, of the Committee on Labor, Mines and Manufactories, submitted the two following reports:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 272, entitled

An act to repeal section 8818 of article 2, chapter 133 of the Revised Statutes of Missouri, 1899, and enact a new section, to be known as section 8818, relating to health and safety of miners, report to the Governor and report of the operators to the inspectors,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 273, entitled

An act to repeal section 8811 of article 2, chapter 133 of Revised Statutes, State of Missouri of 1899, and to enact a new section to be known as section 8811, relating to signaling, hoisting—certain minors not to work, etc,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Rubey, from the Committee on Appropriations, submitted the two following reports:

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 226, entitled

An act to appropriate money for the erection of a monument at the grave ex-Gov. Robert M. Stewart at St. Joseph, Mo.,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 169, entitled

An act providing for a commission to erect a statue or monument to the memory of Col. Thos. H. Benton, and making an appropriation therefor,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Fields, from the Committee on Fire, Marine and Tornado Insurance, submitted the following report:

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred House bill No. 170, entitled

An act to repeal section 7957 of article VI of chapter 119 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, to be known as section 7957, and to take the place of said section in said article VI of said chapter 119, and relating to insurance,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Ramp introduced Senate bill No. 304, entitled

An act to repeal section 5845, article 4, chapter 91, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Rubey, from the Committee on Appropriations, submitted the two following reports:

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 202, entitled

An act to repeal section 10427 of article I, chapter 170 of the Revised Statutes of Missouri, 1899, entitled "Treasury Department," and enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 212, entitled

An act to provide for the donation by the State to certain public libraries of copies of the Supreme and Appellate Court reports with an appropriation of money therefor,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senate joint and concurrent resolution No. 10, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate joint and concurrent resolution No. 11, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the right of local self-government,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate joint and concurrent resolution No. 12, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate joint and concurrent resolution No. 13, entitled

Joint and concurrent resolution providing for the amendment of article ten (X) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (X), and inserting in lieu thereof a new section, to be known and designated as section twelve (12), relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate bill No. 287, entitled

An act relating to county clerks retaining certain fees arising from official work performed under the ditching and draining law, in addition to fees allowed for other work under the statutes of 1899,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 288, entitled

An act repealing section 809 of the Revised Statutes of 1899 of the State of Missouri, and enacting a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 289, entitled

An act to amend section 278 of article 14, chapter 1, Revised Statutes, 1899, in relation to appeals,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right of way for railroad purposes over the land belonging to the State of Missouri for the use of said asylum,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 291, entitled

An act to amend article IV of chapter 119 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 7930a,

Was taken up, read second time, and referred to Committee on Life and Accident Insurance and Fraternal Associations.

Senate bill No. 292, entitled

An act to amend chapter 20, Revised Statutes of the State of Missouri, 1899, entitled "Divorce, alimony and custody of children," by adding two new sections thereto, to be known as sections 2932a and 2932b,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 293, entitled

An act to amend chapter 17 of the Revised Statutes of Missouri of 1899, relating to damages and contribution in actions of tort, by adding thereto two new sections, to be known as sections 2866a and 2866b,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 294, entitled

An act to amend section 2764 of the Revised Statutes of Missouri, 1899, entitled "Criminal cases, practice and proceedings in,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 192, entitled

An act to amend chapter 14, article 5 of the Revised Statutes of Missouri, relating to courts of record by adding a new section thereto, to be known as section 1809a, defining the duties of county courts in regard to officers handling public funds,

Was taken up and read first time.

Committee substitute for House bill No. 247, entitled

An act to repeal section 4856, chapter 72, article 1, Revised Statutes, 1899, and to enact a new section in lieu thereof, to be known as section 4856;

Read first time and 150 copies ordered printed.

House bill No. 418, entitled

An act to appropriate money to pay the deficiencies in the expenses of the State government for the years 1899 and 1900, with emergency clause;

Read first time and 150 copies ordered printed.

House bill No. 170, entitled

An act to repeal section 7957 of article 6 of chapter 119 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, to be known as section 7957, and to take the place of said section in said article 6 of said chapter 119, and relating to insurance;

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

House bill No. 193, entitled

An act to repeal section 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968 of article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to enact new sections in lieu thereof, entitled, "Powers and duties of County Boards of Education relating to course of study, licensing teachers and conducting institutes, and of the State Board of Education relating to summer schools," with an emergency clause,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

House bill No. 234, entitled

An act changing the names of certain eleemosynary institutions,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House bill No. 334, entitled

An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 366, entitled

An act to repeal section 8709, chapter 133, article 2 of the Revised Statutes of the State of Missouri, 1899, relating to the safety and inspection of mines, and to enact a new section in lieu thereof relating to the safety and inspection of mines.

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House bill No. 70, entitled

An act to amend section seven thousand and ninety-one (7091) of article 2, chapter 102, Revised Statutes of Missouri, 1899, relating to elections,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

House joint and concurrent resolution No. 13, entitled

Joint and concurrent resolution memorializing Congress to appropriate money for the purpose of opening, deepening and widening the channels of Little river and St. Francis river, for drainage purposes,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Committee substitute for House bill No. 111, entitled

An act to amend chapter 83 of the Revised Statutes of 1899, by striking out section 5157, and enacting three new sections in lieu thereof, to be known as sections 5157, 5157a, 5157b,

Was taken up, read second time, and referred to Committee on Judiciary.

Committee Substitute for House bills 56, 104 and 30, entitled

An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections, to be known as sections 9696a, 9696b, 9696c, 9696d, 9696e, 9696f, 9696g, 9696h, 9696i, 9696j, 9696k, 9696l, 9696m, 9696n, 9696o, 9696p, 9696q, 9696r, 9696s, 9696t, 9696u, 9696v, 9696w, 9696x, 9696y, 9696z, with an emergency clause,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways, Bridges and Ferries,

House bill No. 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvements of the eleemosynary and penal institutions of the State for the years 1901 and 1902,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 175 was laid over informally.

Senate bill No. 204 was taken up.

Senator Drabelle moved that the bill be read the third time and placed upon its passage.

The motion prevailed.

Senate bill No. 204 entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred and fifty inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof,

Was read third time, placed upon its passage, and passed by the following vote:

#### YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Marshall,  
Martin,

Matthews,  
Morton,  
Ramp,  
Rubey,  
Schoenlaub,  
Smith,  
Stubbs,

Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—27.

#### NAYS—None.

#### Absent with leave—Senators

Collins,  
Jewell,

Lee,

Orchard,

Rollins—5.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Drabelle moved that the vote by which Senate bill No. 204 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 239 was laid over informally.

Committee substitute for Senate bill No. 119 was laid over informally.

Senator Biggs, from the Committee on Retrenchment and Reform, Fees and Salaries, and Criminal Costs, submitted the three following reports:

Mr. President: Your Committee on Retrenchment and Reform, etc., to which was referred Senate bill No. 256, entitled

An act to amend section 3265, of article 1, chapter 27, of the Revised Statutes of 1899, relating to fees,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Retrenchment and Reform, etc., to which was referred Senate bill No. 245, entitled

An act to repeal section 3244, chapter 27, article 1, Revised Statutes of Missouri of 1899, entitled "Salaries and fees," and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Retrenchment and Reform, etc., to which was referred House bill No. 253, entitled

An act amending section 3285 of article 1 of chapter 27 of the Revised Statutes of Missouri, 1899, relating to salary of certain officers,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Bradley offered an amendment in the form of a substitute for Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860, of article 4, of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause;

Read first and second times.

Senator Bradley moved that the amendment be agreed to.

Motion prevailed.

Senator Thomas called up Senate bill No. 161 and moved that it be engrossed and printed.

The motion prevailed.

Senate bill No. 250 was taken up.

Senator Morton moves that the bill be engrossed and printed.

The motion prevailed.

House bill 181 was taken up for third reading.

Senator Fields moved that the bill be read third time and placed upon its passage.

The motion prevailed.

House bill No. 181, entitled

An act to amend section fifty-eight hundred and thirty-six (5836), article four (4), chapter ninety-one (91) of the Revised Statutes of Missouri, 1899,

Was read third time, placed upon its passage, and passed by the following vote:

**YEAS—Senators**

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Smith,     |
| Bradley,  | Farris,   | Morton,     | Stubbs,    |
| Clarke,   | Fields,   | Orchard,    | Sullivan,  |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Costello, | Jewell,   | Rollins,    | Walker,    |
| Davisson, | Marshall, | Rubey—2,    | Zevely—27. |
| Dowell,   | Martin,   | Schoenlaub, |            |

**NAYS—Senators**

Tandy,                      Whaley—2.

**Absent with leave—Senators**

Collins,                      Heather,                      Lee—3.

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Fields moves to reconsider the vote by which House bill No. 181 passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Thomas called up Senate bill No. 170.

Senator Thomas moved that the bill be indefinitely postponed.

The motion prevailed.

Senator Clay called up substitute for Senate bill No. 119, and moved that it be read third time and placed upon its passage.

The motion prevailed.

Committee substitute for Senate bill No. 119, entitled

An act to provide for the appointment of a Factory Inspector and defining his term of service, salary, powers and duties,

Was read third time, placed upon its passage, and passed by the following vote:

**YEAS—Senators,**

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Rollins,    | Sullivan,  |
| Clay,     | Haynes,   | Rubey,      | Thomas,    |
| Costello, | Marshall, | Schoenlaub, | Walker,    |
| Davisson, | Morton,   | Smith,      | Whaley,    |
| Drabelle, | Ramp,     | Stubbs,     | Zevely—24. |
| Farris,   |           |             |            |

**NAYS—Senators**

|         |          |           |          |
|---------|----------|-----------|----------|
| Clarke, | Heather, | Martin,   | Tandy—7. |
| Dowell, | Jewell,  | Matthews, |          |

**Absent with leave—Senators**

Bradley,                      Collins,                      Lee,                      Orchard—4.

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Ramp,       | Tandy,     |
| Costello, | Heather,  | Rollins,    | Thomas,    |
| Davissou, | Jewell,   | Rubey,      | Walker,    |
| Dowell,   | Marshall, | Schoenlaub, | Whaley,    |
| Drabelle, | Martin,   | Stubbs,     | Zevely—26. |
| Farris,   | Matthews, |             |            |

## NAYS—Senators

Clarke, Smith—2.

Absent with leave—Senators

Bradley, Collins, Lee, Orchard—4.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moves to reconsider the vote by which committee substitute to Senate bill No. 119 passed.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

Senator Martin, from the Committee on Ways and Means, submitted the four following reports:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 197, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenues," and providing for the taxation of mortgages and deeds of trust,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 198, entitled

An act to amend section 9121 of article 1 of chapter 149 of the Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenue,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 199, entitled

An act to amend section 9151 of article 2 of chapter 149 of the Revised Statutes of 1899, entitled "Assessors and the assessment of property,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Ways and Means, to which was referred House bill No. 166, entitled

An act to repeal sections 6819, 6820 and 6821 of article 6 of chapter 97 of the Revised Statutes of Missouri, 1899, and to enact three new sections in lieu thereof, entitled "Depositaries for county funds,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The seven following recommendations were received from the House of Representatives, through the Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 264, entitled

An act to repeal sections 3447 and 3448 of chapter 33, Revised Statutes of Missouri of 1899, relating to garnishments;

Also, House bill No. 88, entitled

An act to amend section 2286, of chapter 15, article 8, of the Revised Statutes of Missouri, 1899, relating to crimes and punishments, said act being entitled "Certain substances not to be used in the preparation of food;"

Also, House bill No. 199, entitled

An act to amend section 6574 of the Revised Statutes of the State of Missouri, of 1899, entitled "Official oath, etc., and pertaining to Commissioner of Deeds;"

Also, House bill No. 303, entitled

An act to amend article 2, chapter 47, Revised Statutes of Missouri, 1899, entitled "Liens for keeping horses and other animals;"

Also, House bill No. 251, entitled

An act to amend section 4315, chapter 50, Revised Statutes, relating to marriages;

Also, House bill No. 367, entitled

An act to repeal section 8791, chapter 133, article 1 of the Revised Statutes of 1899, relating to mines and mining and to enact a new section in lieu thereof;

Also, joint and concurrent resolution No. 1,

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, providing for the reservation to the people the right to propose measures for enactment, and to require enactments of the General Assembly to be submitted to a vote of the people for ratification,

In which the concurrence of the Senate is respectfully requested;

Which were read.

Senator Drabelle called up Senate bill No. 122.

Senator Drabelle moved that the Senate concur in House amendment to Senate bill No. 122,

Which was adopted by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Marshall,

Martin,  
Morton,  
Orchard,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith,

Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—27.

NAYS—None.

Absent with leave—Senators

Collins,  
Lee,

Matthews,

Ramp,

Zevely—5.

Sick—Senator Cooper—1.

Senator Drabelle moved that Senate bill No. 122, as amended, be put upon its passage.

The motion prevailed.

Senate bill No. 122, as amended, entitled

An act to amend section 6353, of article 13, chapter 91, of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Tandy,     |
| Costello, | Heather,  | Rollins,    | Thomas,    |
| Davison,  | Jewell,   | Rubey,      | Walker,    |
| Dowell,   | Marshall, | Schoenlaub, | Whaley—23. |

## NAYS—None.

## Absent with leave—Senators

|          |      |       |           |
|----------|------|-------|-----------|
| Collins, | Lee, | Ramp, | Zevely—4. |
|----------|------|-------|-----------|

## Sick—Senator Cooper—1.

Senator Drabelle moved to reconsider the vote by which Senate bill No. 122 passed.

Senator Thomas moved to table that motion.

The latter motion prevailed.

Senator Drabelle called up Senate bill 175.

Senator Drabelle moved that Senate bill No. 175 be read third time and put upon its passage.

The motion was withdrawn.

Senator Drabelle moved that Senate bill No. 175 be made a special order for 2 p. m. next Tuesday, February 26, 1901.

The motion prevailed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of the act, with an emergency clause,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Morton moved that the rules be suspended and that the amended committee substitute for Senate bills Nos. 1, 6, 59, 105, 114, be read third time and placed upon its passage.

The motion prevailed.

Senator Morton moved that the amended committee substitute for Senate bills Nos. 1, 6, 59, 105, 114, be read third time and placed upon its passage.

The four following communications were received from the House of Representatives, through the Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 241, entitled

An act to amend section 1103 of article 2, relating to railroad companies in chapter 12, of the Revised Statutes of Missouri of 1899, entitled "Private corporations;"

Also, House bill No. 287, entitled

An act relating to county clerks retaining certain fees arising from official work performed under the ditching and drainage law in addition to fees allowed for other work under the Statutes of 1899;

Also, House bill No. 239, entitled

An act to repeal sections 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, of article 4, chapter 12, Revised Statutes of Missouri, 1899, relating to Railroad Commissioners;

Also, House bill No. 323, entitled

An act to repeal section 1937 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,

In which the concurrence of the Senate is respectfully requested;

Which were read.

Senator Martin moved that the amended committee substitute for Senate bills Nos. 1, 6, 59, 105, 114, be laid over until 3 p. m. Monday.

The motion was lost by the following vote:

YEAS—Senators

|                   |                        |                      |                    |
|-------------------|------------------------|----------------------|--------------------|
| Biggs,<br>Clarke, | Davisson,<br>Drabelle, | Martin,<br>Matthews, | Ramp,<br>Whaley—8. |
|-------------------|------------------------|----------------------|--------------------|

NAYS—Senators

|  |   |  |  |
|--|---|--|--|
| Bradley,<br>Clay,<br>Dowell,<br>Farris,<br>Fields, | Haynes,<br>Heather,<br>Marshall,<br>Morton,<br>Rollins, | Rubey,<br>Schoenlaub,<br>Smith,<br>Stubbs, | Sullivan,<br>Tandy,<br>Thomas,<br>Zevely—18. |
|--|---|--|--|

Absent with leave—Senators

|                       |                 |          |           |
|-----------------------|-----------------|----------|-----------|
| Collins,<br>Costello, | Jewell,<br>Lee, | Orchard, | Walker—6. |
|-----------------------|-----------------|----------|-----------|

Sick—Senator Cooper—1.

Senator Davisson was granted leave of absence.

The amended committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of the act, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

AYES—Senators

|   |  |  |  |
|---|--|--|--|
| Biggs,<br>Bradley,<br>Clay,<br>Costello,<br>Dowell,<br>Drabelle,<br>Farris, | Fields,<br>Haynes,<br>Heather,<br>Jewell,<br>Marshall,<br>Martin,<br>Matthews, | Morton,<br>Orchard,<br>Ramp,<br>Rubey,<br>Schoenlaub,<br>Smith,<br>Stubbs, | Sullivan,<br>Tandy,<br>Thomas,<br>Walker,<br>Whaley,<br>Zevely—27. |
|---|--|--|--|

NAYS—None.

Absent with leave—Senators

|                     |           |      |            |
|---------------------|-----------|------|------------|
| Clarke,<br>Collins, | Davisson, | Lee, | Rollins—5. |
|---------------------|-----------|------|------------|

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|   |  |   |   |
|---|--|---|---|
| Biggs,<br>Bradley,<br>Clay,<br>Costello,<br>Dowell,<br>Drabelle,<br>Farris, | Fields,<br>Haynes,<br>Heather,<br>Jewell,<br>Marshall,<br>Martin,<br>Matthews, | Morton,<br>Orchard,<br>Ramp,<br>Rollins,<br>Rubey,<br>Schoenlaub,<br>Smith, | Stubbs,<br>Sullivan,<br>Tandy,<br>Thomas,<br>Walker,<br>Whaley,<br>Zevely—28. |
|---|--|---|---|

NAYS—None.

Absent with leave—Senators

|         |          |           |        |
|---------|----------|-----------|--------|
| Clarke, | Collins, | Davisson, | Lee—4. |
|---------|----------|-----------|--------|

Sick—Senator Cooper—1.

Title of the bill, amended, and agreed to as amended.

Senator Farris moves that the vote by which the amended committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114 be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senators Clarke and Cooper were granted leave of absence.

Senator Farris introduced Senate bill No. 293, entitled

An act to amend chapter 17 of the Revised Statutes of Missouri of 1899, relating to "Damages and contribution in actions of tort," by adding thereto two new sections, to be known as sections 2866a and 2866b;

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 294, entitled

An act to amend section 2764 of the Revised Statutes of Missouri, 1899, entitled "Criminal cases, practice and proceedings in;"

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 295, entitled

An act to amend article 15, chapter 16, by adding five new sections thereto;

Read first time and 150 copies ordered printed.

Senator Farris introduced Senate bill No. 296, entitled

An act to amend section 5060, chapter 80 of the Revised Statutes of Missouri for 1899, entitled "Board of Charities;"

Read first time and 150 copies ordered printed.

Senator Whaley introduced Senate bill No. 297, entitled

An act to fix the compensation of the prosecuting attorneys of the various counties in the State, and to amend section 4949 of the Revised Statutes of Missouri, 1899;

Read first time and 150 copies ordered printed.

On motion of Senator Martin, Senate adjourned until 3 p. m. Monday, February 25, 1901.

### THIRTY-NINTH DAY—Monday, February 25, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, February 25, 1901.

To the President of the Senate:

I have the honor herewith to return to the Senate, with my approval indorsed thereon, Senate bill No. 9, entitled "An act to prevent frauds between attorneys, clients and defendants; making agreements between attorney and client a lien upon the cause of action."

Respectfully,  
A. M. DOCKERY, Governor.

Which was read.

Senator Clarke presented a petition from citizens of Greenwood, Jackson county, asking for the passage of Senate bill No. 248;

Referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Walker presented a petition from the citizens of Montgomery county, asking for the passage of bills Nos. 137 and 138;

Referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Davisson presented a petition from citizens of Fredericktown, Madison county, asking for the passage of House bills Nos. 137 and 138;

Referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Collins presented a petition from the retail merchants of the City of St. Louis, asking for the passage of Senate bill No. 110;

Referred to the Committee on Criminal Jurisprudence.

Senator Davisson presented a petition from the citizens of Harrison county, asking for the passage of a law allowing women of twenty-one years and over the right to vote at school elections;

Referred to Committee on Privileges and Elections.

Senator Davisson presented a remonstrance against the passage of Senate bills Nos. 101 and 221;

Referred to the Committee on Criminal Jurisprudence.

Senator Fields presented a remonstrance from citizens of his district against the passage of Senate bills Nos. 101 and 201;

Referred to the Committee on Criminal Jurisprudence.

Senator Orchard presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221;

Referred to the Committee on Criminal Jurisprudence.

Senator Clay presented a petition from the citizens of Farmington asking for the passage of House bills Nos. 137 and 138;

Referred to the Committee on Criminal Jurisprudence.

The eight following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899 of the revenue law, entitled "Collectors' commissions;

Also, Senate bill No. 112, entitled

An act to repeal article 2 of chapter 121 of the Revised Statutes of Missouri, 1899, and to create a State Board of Mediation and Arbitration for the settlement of differences between employes and to define the powers and duties of said board, with title amended, by adding the words "with an emergency clause;"

Also, Senate bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15, of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property;"

Also, Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to registration in cities having a population of twenty-five thousand and less than one-hundred thousand inhabitants, by adding a new section thereto, to be known as section

Also, Senate bill No. 18, entitled

An act to amend section 1990 of article 3 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against public and private property;"

Also, House bill No. 344, entitled

An act compelling railroad companies to cover coal chutes and providing for the violation of this act;

Also, committee substitute for House bills Nos. 2, 17, 22, 55 and 201, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of this act, with an emergency clause;

Also, House bill No. 192, entitled

An act to amend chapter 14, article 5 of the Revised Statutes of Missouri, relating to courts of record, by adding a new section thereto, to be known as section 1810a, defining the duties of county courts and prosecuting officers in regard to officers handling public funds, with title amended, by inserting the word "1809a" instead of "1810a,"

In which the concurrence of the Senate is respectfully requested.

Senator Tandy, presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221;

Referred to Committee on Criminal Jurisprudence.

Senator Zevely presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221;

Referred to Committee on Criminal Jurisprudence.

Senator Dowell presented a petition asking for the passage of House bills regulating the practice of medicine;

Referred to Committee on Eleemosynary Institutions and Public Health.

Senator Rollins presented a remonstrance against the passage of Senate bills Nos. 101 and 221;

Referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Rubey offered the following resolution:

Whereas, We have today learned of the death of William L. Farris, the beloved brother of one of our own members, which occurred in Louisville, Kentucky, on yesterday; therefore, be it

Resolved, By this Senate, that it has heard with deep regret of his death, that we convey to Senator Frank H. Farris, to ex-Senator J. W. Farris and to their families our heartfelt sympathies in this sad hour of their affliction.

Resolved, That the Secretary of the Senate be directed to transmit copies of these resolutions to Senator Frank H. Farris and to his father, Hon. J. W. Farris.

Which was read and adopted.

Senator Drabelle introduced Senate bill No. 298, entitled

An act to appropriate money out of the State treasury to assist in prosecuting the drainage canal suit;

Read first time and 150 copies ordered printed.

Senator Rubey introduced Senate bill No. 299, entitled

An act creating a commission to revise chapter 149, Revised Statutes of 1899, entitled "The assessment and collection of the revenue," authorizing said commission to propose changes in the present revenue law and additional revenue measure, and requiring it to report the results of its labor to the Forty-second General Assembly;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 300, entitled

An act to amend section 7732, chapter 118, article 3 of the Revised Statutes of 1899, relating to "Institutions, Eleemosynary;"

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 301, entitled

An act to define and protect undertakers in the funds due to estates and to beneficiaries from insurance companies, benevolent and fraternal associations in defraying the expenses of deceased persons when insured in such companies or associations, and to repeal all acts, statutes or parts thereof in conflict herewith;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 302, entitled

An act to repeal section 3871, of article 3 entitled "Commencement of suits, service of process, etc.," of chapter 43 of the Revised Statutes of 1899, and enact a new section in lieu thereof, to be known as section 3871 on the same subject;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following reports:

Mr. President: Your Committee on Engrossed bills, to which was referred substitute amendment to substitute for Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes of 1899, by adding two new sections thereto, to be known as sections 6555a and 6555b;

Also, Senate bill No. 5, entitled

An act to amend chapter 91, article 23, section 6554, of the Revised Statutes of 1899, entitled "Jurors, how drawn;"

Also, Senate bill No. 77, entitled

An act to repeal section 727 and 728 of chapter 8, article 7 of Revised Statutes of Missouri for 1899, and relating to bills of exceptions in civil suits, and to enact in lieu thereof three new sections, to be known as sections 727, 728 and 728a, and to repeal section 813 of chapter 8 of article 10 of Revised Statutes of Missouri relating to duties of parties in appeals and to enact a new section in lieu thereof, to be known as section 813;

Also, Senate bill No. 184, entitled

An act to regulate the running of street cars across boulevards, and to provide a penalty for the violation of provisions of the act;

Also, Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants;

Also, Senate bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause.

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

House bill No. 344, entitled

An act compelling corporations, companies or persons owning or operating any railroad or branch thereof in this State to construct and maintain over all coal chutes owned or operated by them sufficient coverings to protect from rain, snow and sleet all persons whose duty it is in the course of their employment by such corporation, company or person to labor at, in or on such chutes,

Was taken up and read first time.

Committee substitute for House bills Nos. 2, 17, 22, 55 and 201, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of this act, with an emergency clause,

Was taken up and read first time.

House joint and concurrent resolution No. 1, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, providing for the reservation to the people the right to propose measures for enactment, and to require enactments of the General Assembly to be submitted to a vote of the people for ratification,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

House bill No. 264, entitled

An act to repeal sections 3447 and 3448 of chapter thirty-three of the Revised Statutes of Missouri of 1899,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 88, entitled

An act to amend section 2286, article 8 of chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Crimes and punishments," and relating to certain substances not to be used in compounds to be used in the preparation of food, by striking out the words "or alum," in the sixth (6th) line, and at the end of said section, and also by inserting between the words "bismuth" and ammonia," in the sixth line of said section, the word "or,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 199, entitled

An act to amend section 6574 of the Revised Statutes of the State of Missouri of 1899, entitled "Official oath, etc.," and pertaining to commissioners of deeds,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 303, entitled

An act to repeal sections 4231 and 4232 of article 2, chapter 47, Revised Statutes of Missouri, 1899, entitled "Liens for keeping horses and other animals," and to enact two new sections in lieu thereof, to be known as sections 4231 and 4232, and relating to the lien on offspring of animals,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 287, entitled

An act to repeal sections 1939 and 1940 of the Revised Statutes of 1899, providing penalties for defrauding a gas company and for altering a gas meter for a fraudulent purpose, and providing a new section in lieu thereof, applying such penalties to gas companies and, in addition, to electric light and power companies, to water companies, to steam companies, to refrigerating companies and to all companies and persons furnishing a gas or liquid through pipes to consumers,

Was taken up, read second time, and referred to Committee on Township Organizations, County Boundaries, Swamp Lands, Ditches and Drains.

House bill No. 251, entitled

An act to amend section 4315, chapter 50 of the Revised Statutes, relating to marriages,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 367, entitled

An act to repeal section 8791, chapter 133, article 1 of the Revised Statutes of 1899, relating to mines and mining, and to enact a new section in lieu thereof, in relation to mines and mining,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House bill No. 323, entitled

An act to repeal section 1937 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 239, entitled

An act to repeal sections 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218 and 1219 of article 4, chapter 12, Revised Statutes of Missouri, 1899, relating to Railroad Commissioners,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 241, entitled

An act to amend section 1103 of article 2, relating to railroad companies, in chapter 12 of the Revised Statutes of Missouri of 1899, entitled "Private corporations,"

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the two following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 252, entitled

An act amending section 6169 of article 9 of chapter 91 of the Revised Statutes of Missouri, 1899, by striking out the figures "100,000," in the third line of said section, and inserting in lieu thereof the figures "150,000,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 197, entitled

An act providing for the appointment of park commissioners in cities of the second class,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senate bill No. 4 was taken up.

Senator Rollins moved that the bill be read third time and put upon its passage.

The motion was withdrawn.

Senate bill No. 4 was laid over informally.

Senate bill No. 5 was taken up and laid over informally.

Senate bill No. 77 was taken up.

Senator Walker moved that the bill be read third time and put upon its passage.

The motion was withdrawn.

Senate bill No. 77 was laid over informally.

Senator Jewell presented a remonstrance from the citizens of Jackson county against the passage of Senate bill No. 80 and House bill No. 137;

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 161 was taken up.

Senator Thomas moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898,

Was read third time, placed upon its passage, and passed by the following vote:

#### YEAS—Senators

|           |           |             |           |
|-----------|-----------|-------------|-----------|
| Biggs,    | Drabelle, | Orchard,    | Sullivan, |
| Bradley,  | Fields,   | Rollins,    | Tandy,    |
| Clarke,   | Haynes,   | Rubey,      | Thomas,   |
| Clay,     | Jewell,   | Schoenlaub, | Walker,   |
| Collins,  | Lee,      | Smith,      | Whaley,   |
| Costello, | Matthews, | Stubbs,     | Zevly—25. |
| Davisson, |           |             |           |

#### NAYS—Senators

|         |          |           |
|---------|----------|-----------|
| Dowell, | Heather, | Martin—3. |
|---------|----------|-----------|

#### Absent with leave—Senators

|         |           |         |         |
|---------|-----------|---------|---------|
| Farris, | Marshall, | Morton, | Ramp—4. |
|---------|-----------|---------|---------|

#### Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

#### YEAS—Senators

|           |           |             |           |
|-----------|-----------|-------------|-----------|
| Biggs,    | Dowell,   | Orchard,    | Sullivan, |
| Bradley,  | Drabelle, | Rollins,    | Tandy,    |
| Clarke,   | Fields,   | Rubey,      | Thomas,   |
| Clay,     | Haynes,   | Schoenlaub, | Walker,   |
| Collins,  | Jewell,   | Smith,      | Whaley,   |
| Costello, | Lee,      | Stubbs,     | Zevly—26. |
| Davisson, | Matthews, |             |           |

#### NAYS—Senators

|          |           |
|----------|-----------|
| Heather, | Martin—2. |
|----------|-----------|

#### Absent with leave—Senators

|         |           |         |         |
|---------|-----------|---------|---------|
| Farris, | Marshall, | Morton, | Ramp—4. |
|---------|-----------|---------|---------|

#### Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which Senate bill No. 161 was passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins called up Senate bill No. 4 and moved that the vote by which the bill was ordered engrossed be reconsidered.

The motion prevailed.

Senator Rollins offered the following substitute for the amended substitute:

Amendment No. 3 to substitute amendment to Senate bill No. 4:

Amend substitute amendment for Senate bill No. 4 by striking out of section 6555a all after the word "jurors," in line 7 of said section, up to and including the word "courts," in line 11 of said section, and inserting in lieu thereof the following words: "and the jury commissioner shall thereupon furnish a list of twelve persons qualified for jury service, and the constable, marshal or deputy coroner as the case may be, shall forthwith summons the persons so furnished by said jury commissioner to appear before such justice or coroner and sit as jurors in the trials of such case or cases, and such jurors shall receive the same pay as now allowed in such courts;

Read first and second times and agreed to.

On motion of Senator Rollins, Senate bill No. 4, as amended, was ordered engrossed and printed.

Senator Clarke introduced Senate bill No. 305, entitled

An act to amend section 1734 of article 3, chapter 14 of the Revised Statutes of Missouri, entitled "Circuit courts;"

Read first time and 150 copies ordered printed.

On motion of Senator Whaley, Senate adjourned until 2 o'clock p. m.

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#### AFTERNOON SESSION.

The hour of recess having expired,

The President called the Senate to order.

Senator Ramp introduced Senate bill No. 306, entitled

An act to provide for the payment of quarantine and pest camp expenses in cases of epidemics;

Read first time and 150 copies ordered printed.

Senator Bradley introduced Senate bill No. 307, entitled

An act to amend section 7415 of article 2, chapter 67 of the Revised Statutes of 1899, entitled "County agricultural and mechanical societies;"

Read first time and 150 copies ordered printed.

Senate bill No. 175, being special order for 2 p. m. today, was taken up, and on motion of Senator Drabelle, was laid over informally.

Senator Haynes introduced Senate bill No. 308, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations;

Read first time and 150 copies ordered printed.

Senator Costello presented a remonstrance from the citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Costello presented a remonstrance from the citizens of DeKalb and Clinton counties against the passage of House bill No. 137;

Read and referred to the Committee on Eleemosynary Institutions and Public Health.

Senator Fields offered proposed amendment to franchise bill and moved that 150 copies be ordered printed.

The motion prevailed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 212, entitled

An act amending section 6168 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Miscellaneous provisions applying to cities, towns and villages,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Fields,  | Orchard,    | Sullivan,  |
| Bradley,  | Haynes,  | Ramp,       | Tandy,     |
| Clarke,   | Heather, | Rollins,    | Thomas,    |
| Clay,     | Jewell,  | Schoenlaub, | Walker,    |
| Collins,  | Lee,     | Smith,      | Whaley,    |
| Costello, | Morton,  | Stubbs,     | Zevely—25. |
| Davisson, |          |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |           |          |
|-----------|-----------|-----------|----------|
| Dowell,   | Farris,   | Martin,   | Rubey—7. |
| Drabelle, | Marshall, | Matthews, |          |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |               |
|-----------|-----------|-------------|---------------|
| Biggs,    | Drabelle, | Martin,     | Sullivan,     |
| Bradley,  | Fields,   | Orchard,    | Tandy,        |
| Clarke,   | Haynes,   | Ramp,       | Thomas,       |
| Clay,     | Heather,  | Rollins,    | Walker,       |
| Collins,  | Jewell,   | Schoenlaub, | Whaley,       |
| Costello, | Lee,      | Smith,      | Zevely—27.    |
| Davisson, | Marshall, | Stubbs,     | <del>Re</del> |

NAYS—None.

Absent with leave—Senators

|         |           |         |          |
|---------|-----------|---------|----------|
| Dowell, | Matthews, | Morton, | Rubey—5. |
| Farris, |           |         |          |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Haynes moved that the vote by which Senate bill No. 214, together with the emergency clause, was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Walker called up committee substitute for House bill No. 98 and moved that the bill be read third time and put upon its passage. Senator Orchard offered the following amendment to the bill:

Senate amendment No. 1 to committee substitute for House bill No. 98:

Amend committee substitute for House bill No. 98 by striking out all after the word "exist," in line 15 of printed bill down to and including "Provided," in line 22 of printed bill;

Read first and second times and adopted by the following vote:

YEAS—Senators

Collins,  
Drabelle,  
Jewell,  
Lee,

Matthews,  
Morton,  
Orchard,  
Ramp,

Rollins,  
Schoenlaub,  
Smith,  
Sullivan,

Tandy,  
Thomas,  
Zevely,  
Jno. A. Lee (Pres. S.)  
—16.

NAYS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,

Costello,  
Davisson,  
Dowell,  
Fields,

Haynes,  
Heather,  
Martin,  
Rubey,

Stubbs,  
Walker,  
Whaley—15.

Absent with leave—Senators

Farris,

Marshall—2.

Sick—Senator Cooper—1.

The question recurring on the motion to read third time,

On motion of Senator Walker, the bill, as amended, was laid over informally.

The four following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 403, entitled

An act to prevent the introduction and dissemination in Missouri of dangerous insect, pests and fungoid or other contagious or infectious diseases dangerously injurious to fruit trees, vines, bushes or nursery stock, with title amended by adding "with an emergency clause;"

Also, Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand;"

Also, Senate bill No. 157, entitled

An act to amend section 302 of chapter 1, Revised Statutes of Missouri, 1899, relating to State seminary moneys;

Also, committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties and with emergency clause;

In which the concurrence of the Senate is respectfully requested;

Which were read.

Senate bill No. 184 was taken up.

Senator Collins moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 184, entitled

An act to regulate the running of street cars across boulevards, and providing a penalty for the violation of the provisions of the act,  
Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |
|-----------|-----------|
| Biggs,    | Drabelle, |
| Bradley,  | Fields,   |
| Clarke,   | Haynes,   |
| Clay,     | Heather,  |
| Collins,  | Jewell,   |
| Costello, | Lee,      |
| Davisson, | Martin,   |
| Dowell,   | Matthews, |

|             |
|-------------|
| Morton,     |
| Orchard,    |
| Ramp,       |
| Rollins,    |
| Rubey,      |
| Schoenlaub, |
| Smith,      |

|            |
|------------|
| Stubbs,    |
| Sullivan,  |
| Tandy,     |
| Thomas,    |
| Walker,    |
| Whaley,    |
| Zevely—30. |

NAYS—None.

Absent with leave—Senators

|         |             |
|---------|-------------|
| Farris, | Marshall—2. |
|---------|-------------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Collins moved that the vote by which Senate bill No. 184 was passed be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins introduced Senate bill No. 309, entitled

An act requiring the issuance of transfers to passengers riding on street cars in this State, and providing a penalty for violating the provisions hereof;

Read first time and 150 copies ordered printed.

Senator Morton called up Senate bill No. 109.

Senator Morton moved that the Senate concur in House amendment No. 1 to Senate bill No. 109.

House amendment No. 1 to Senate bill No. 109:

Amend Senate bill No. 109 by adding at the close of section 2 the following: "A docket of applications for pardon shall be made and kept, on which applications shall be docketed according to the date which the same have been or may hereafter be filed, and each case shall be entitled to a hearing in its proper order, but the Governor may advance any case for hearing when in his judgment the same shall be necessary and proper.

Motion prevailed by the following vote:

YEAS—Senators

|           |           |
|-----------|-----------|
| Biggs,    | Dowell,   |
| Bradley,  | Drabelle, |
| Clarke,   | Fields,   |
| Clay,     | Haynes,   |
| Collins,  | Heather,  |
| Costello, | Jewell,   |
| Davisson, | Martin,   |

|             |
|-------------|
| Matthews,   |
| Morton,     |
| Orchard,    |
| Ramp,       |
| Rubey,      |
| Schoenlaub, |
| Stubbs,     |

|            |
|------------|
| Sullivan,  |
| Tandy,     |
| Thomas,    |
| Walker,    |
| Whaley,    |
| Zevely—27. |

NAYS—None.

Absent with leave—Senators

|         |           |
|---------|-----------|
| Farris, | Marshall, |
| Lee,    |           |

|          |
|----------|
| Rollins, |
|----------|

|          |
|----------|
| Smith—5. |
|----------|

Sick—Senator Cooper—1.

House amendment No. 2 to Senate bill No. 109:

Amend Senate bill No. 109 by striking out the words "twenty-five hundred," in lines 1 and 2 of section 3 of the printed bill, and inserting in lieu thereof the words "two thousand;" so that said section 3, when thus amended, shall read as follows:

Sec. 3. Said Pardon Attorney shall receive a salary of two thousand dollars per annum, payable out of the State treasury, in monthly installments, upon the certificate of the Governor to the State Auditor, who shall issue warrants for the same.

On motion of Senator Morton, House amendment No. 2 to Senate bill No. 109, was adopted by the following vote:

YEAS—Senators—

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Stubbs,    |
| Bradley,  | Drabelle, | Morton,     | Sullivan,  |
| Clarke,   | Haynes,   | Orchard,    | Tandy,     |
| Clay,     | Heather,  | Ramp,       | Thomas,    |
| Collins,  | Jewell,   | Rollins,    | Walker,    |
| Costello, | Lee,      | Rubey,      | Whaley,    |
| Davisson, | Martin,   | Schoenlaub, | Zevely—28. |

NAYS—None.

Absent with leave—Senators

|         |         |           |          |
|---------|---------|-----------|----------|
| Farris, | Fields, | Marshall, | Smith—4. |
|---------|---------|-----------|----------|

Sick—Senator Cooper—1.

Senate bill No. 109, as amended, entitled

An act to create the office of Pardon Attorney; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation,

Was passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Smith,     |
| Bradley,  | Fields,   | Morton,     | Stubbs,    |
| Clarke,   | Haynes,   | Orchard,    | Tandy,     |
| Clay,     | Heather,  | Ramp,       | Thomas,    |
| Collins,  | Jewell,   | Rollins,    | Walker,    |
| Costello, | Lee,      | Rubey—5.    | Whaley,    |
| Dowell,   | Martin,   | Schoenlaub, | Zevely—28. |

NAY—Senator Sullivan—1.

Absent with leave—Senators

|           |         |             |
|-----------|---------|-------------|
| Davisson, | Farris, | Marshall—3. |
|-----------|---------|-------------|

Sick—Senator Cooper—1.

Senator Morton moved that the vote by which Senate bill No. 109 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 251, was taken up.

Senator Haynes moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Orchard,    | Stubbs,    |
| Bradley,  | Fields,   | Ramp,       | Sullivan,  |
| Clarke,   | Haynes,   | Rollins,    | Tandy,     |
| Clay,     | Heather,  | Rubey,      | Thomas,    |
| Collins,  | Jewell,   | Schoenlaub, | Walker,    |
| Costello, | Lee,      | Smith,      | Whaley—26. |
| Dowell,   | Morton,   |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Davisson, | Marshall, | Matthews, | Zevely—6. |
| Farris,   | Martin,   |           |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Morton,     | Stubbs,    |
| Bradley,  | Drabelle, | Orchard,    | Sullivan,  |
| Clarke,   | Fields,   | Ramp,       | Tandy,     |
| Clay,     | Haynes,   | Rollins,    | Thomas,    |
| Collins,  | Heather,  | Rubey,      | Walker,    |
| Costello, | Jewell,   | Schoenlaub, | Whaley—27. |
| Davisson, | Lee,      | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Farris,   | Martin, | Matthews, | Zevely—5. |
| Marshall, |         |           |           |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Haynes moved that the vote by which Senate bill No. 251, together with the emergency clause, was passed, be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 250 was taken up and laid over informally.

Senator Whaley called up Senate bill No. 80, and offered amendment No. 1:

Amend Senate bill No. 80 by striking out the words "in cases of emergency," after the word "afflicted," in line 2 of section 9;

Read first and second times and adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Smith,     |
| Bradley,  | Drabelle, | Morton,     | Stubbs,    |
| Clarke,   | Fields,   | Ramp,       | Tandy,     |
| Clay,     | Haynes,   | Rollins,    | Thomas,    |
| Collins,  | Heather,  | Rubey,      | Walker,    |
| Costello, | Jewell,   | Schoenlaub, | Whaley—26. |
| Davisson, | Lee,      |             |            |

## NAYS—Senators,

|         |             |
|---------|-------------|
| Martin, | Sullivan—2. |
|---------|-------------|

## Absent with leave—Senators

|         |           |          |           |
|---------|-----------|----------|-----------|
| Farris, | Marshall, | Orchard, | Zevely—4. |
|---------|-----------|----------|-----------|

## Sick—Senator Cooper—1.

Senator Whaley offered amendment No. 2:

Amend Senate bill No. 80, section 10, by adding to said section at the end thereof the following words: "Nothing in this section shall be so construed as to require women practicing midwifery to obtain a license where such women do not practice midwifery as a profession, and do not make any charge for their services;"

Read first and second times and agreed to.

Senator Whaley offered amendment No. 3 to Senate bill No. 80:

Amend Senate bill No. 80 by inserting after the word "purpose," and before the word "the," in line 14, section 6, the words "and no other money shall be paid out of the State treasury for the provisions of this act;"

Read first and second times and agreed to.

Senator Whaley offered amendment No. 4 to Senate bill No. 80:

Amend Senate bill No. 80, section 7, by striking out that part of said section 7, between the words "abortion," in the fifth line of said section, and the word "shall," in the seventh line of said section 7;

Read first and second times and agreed to.

Senator Whaley offered amendment No. 5 to Senate bill No. 80: Amend Senate bill No. 80, section 10, line 3, by inserting after the word "midwifery," in said line, the following words: "As a profession."

Amend line 13, Senate bill No. 80, section 10, by inserting after the word "midwifery," in said line, the following words: "As a profession;"

Read first and second times and agreed to.

Senator Whaley offered amendment No. 6 to Senate bill No. 80:

Amend Senate bill No. 80 by striking out section 12 and inserting in lieu thereof the following, to be known as section twelve, to wit:

Section 12. Article 1 of chapter 128, Revised Statutes of Missouri, 1899, is hereby repealed, and this act enacted in lieu thereof, and nothing in this act shall be so construed as to repeal any other existing article or law.

Read first and second times and agreed to.

Senator Whaley offered amendment No. 7 to Senate bill No. 80:

Amend Senate bill No. 80, section 3, by adding to the end of said section the following words: "The Board shall examine persons applying for a license, although such person cannot speak the English language, the applicant in all such cases to pay the expense of an interpreter satisfactory to the Board;"

Read first and second times and agreed to.

Senator Whaley offered amendment No. 8 to Senate bill No. 80:

Amend Senate bill No. 80 by striking out in section three, beginning in line 9, the words "or shall pass a satisfactory written or oral examination in the presence of said Board, in English grammar, and composition, arithmetic, United States History and geography;"

Read first and second times and agreed to.

Senator Whaley offered amendment No. 9 to Senate bill No. 80:

Amend Senate bill No. 80 by striking out all of section (11) eleven;

Read first and second times and agreed to.

Senator Whaley moved that the bill, as amended, be engrossed and printed.

Senator Haynes offered amendment No. 10 to Senate bill No. 80:

Amend Senate bill No. 80 by adding at the end of section one of said bill, the following words: "But nothing in this act contained shall be construed as interfering with any persons who treat the sick and others afflicted with bodily or mental infirmities, without medicine, and in pursuance of the tenets of their religious belief: Provided, that quarantine and sanitary regulations relating to contagious diseases are not violated;"

Read first and second times.

Roll call demanded.

Amendment was lost by the following vote:

YEAS—Senators

Drabelle,  
Haynes,

Matthews,  
Morton,

Orchard,  
Ramp,

Sullivan—7.

NAYS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,

Costello,  
Davisson,  
Dowell,  
Fields,  
Heather,

Jewell,  
Lee,  
Rube,  
Schoenlaub,  
Smith,

Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevoly—20.

Absent with leave—Senators

Farris,  
Marshall,

Martin,

Rollins,

Stubbs—5.

Sick—Senator Cooper—1.

Senator Davisson offered amendment No. 11 to Senate bill No. 80:  
Amend Senate bill No. 80 as follows: Strike out the words  
"it is not intended by this act to," in section 9 of Senate bill No. 80, and  
insert the following: "Nothing in this act shall be so construed as to;"

Read first and second times and was lost.

The question recurring on motion to engross and print.

The motion prevailed.

Senate bill No. 225 was ordered engrossed and printed.

Senate bill No. 130 was taken up, and the pending amendment  
No. 2 was read first and second times.

Senator Davisson moved that amendment No. 2 be adopted.

Senator Orchard made point of order that amendment was not  
in order, because it was an amendment to an amendment, which had  
been agreed to.

The chair declared the point of order not well taken.

The question recurring on the amendment,

Roll call demanded.

Amendment was lost by the following vote:

YEAS—Senators

|                 |                      |           |          |
|-----------------|----------------------|-----------|----------|
| Biggs,<br>Clay, | Davisson,<br>Stubbs, | Sullivan, | Tandy—6. |
|-----------------|----------------------|-----------|----------|

NAYS—Senators

|  |   |   |   |
|--|---|---|---|
| Bradley,<br>Collins,<br>Costello,<br>Dowell,<br>Drabelle,<br>Fields, | Haynes,<br>Heather,<br>Jewell,<br>Lee,<br>Martin, | Matthews,<br>Morton,<br>Orchard,<br>Ramp,<br>Rubey, | Schoenlaub,<br>Smith,<br>Thomas,<br>Walker,<br>Zevely—21. |
|--|---|---|---|

Absent with leave—Senators

|                    |           |          |           |
|--------------------|-----------|----------|-----------|
| Clarke,<br>Farris, | Marshall, | Rollins, | Whaley—5. |
|--------------------|-----------|----------|-----------|

Sick—Senator Cooper—1.

Senator Orchard moved that Senate bill No. 130, as amended, be  
ordered engrossed and printed.

Roll call demanded.

The motion prevailed by the following vote:

YEAS—Senators

|  |   |                                  |                                  |
|--|---|----------------------------------|----------------------------------|
| Bradley,<br>Collins,<br>Costello,<br>Drabelle, | Heather,<br>Jewell,<br>Matthews,<br>Morton, | Orchard,<br>Ramp,<br>Schoenlaub, | Thomas,<br>Walker,<br>Whaley—14. |
|--|---|----------------------------------|----------------------------------|

NAYS—Senators,

|                              |                            |                   |                        |
|------------------------------|----------------------------|-------------------|------------------------|
| Biggs,<br>Clay,<br>Davisson, | Dowell,<br>Fields,<br>Lee, | Rubey,<br>Stubbs, | Sullivan,<br>Tandy—10. |
|------------------------------|----------------------------|-------------------|------------------------|

Absent with leave—Senators

|                    |                      |                     |                     |
|--------------------|----------------------|---------------------|---------------------|
| Clarke,<br>Farris, | Haynes,<br>Marshall, | Martin,<br>Rollins, | Smith,<br>Zevely—8. |
|--------------------|----------------------|---------------------|---------------------|

Sick—Senator Cooper—1.

On motion of Senator Fields, Senate adjourned until 10 a. m.  
tomorrow.

FORTY-FIRST DAY—Wednesday, February 27, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Rollins presented a petition from 375 citizens of St. Louis asking for the submission of a constitutional amendment embodying the principles of direct legislation, known as the initiative and referendum;

Read and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Rollins presented a petition from the citizens of St. Louis, asking for the repeal of the law relating to the manufacture of baking powders and other food stuffs;

Read and referred to Committee on Criminal Jurisprudence.

Senator Tandy presented a petition from the citizens of Lawrence and McDonald counties, asking for the submission of a constitutional amendment embodying the principles of direct legislation, known as the initiative and referendum;

Read and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Tandy presented a remonstrance from citizens of his district against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Senator Lee presented a remonstrance from the citizens of Pochontas, Missouri, protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Senator Clay presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Senator Smith presented a petition from citizens of St. Louis, requesting the passage of Senate bill No. 110, relating to the adulteration of food;

Read and referred to Committee on Criminal Jurisprudence.

Senator Fields presented a petition from the citizens of Adair county, asking for the submission of a constitutional amendment embodying the principles of direct legislation, known as the initiative and referendum;

Read and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Whaley presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

Senator Ramp presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

Senator Ramp presented a petition from the citizens of Dade county, asking for the submission of a constitutional amendment em-

bodying the principles of direct legislation, known as the initiative and referendum;

Read and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Rubey presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

Senator Clarke presented a petition from the citizens of Lone Jack, Missouri, asking for the passage of the high school bill;

Read and referred to Committee on Education, Text-Books and Public Schools.

Senator Stubbs presented a remonstrance from the citizens of Atchison county protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

Senator Zevly presented a petition from the citizens of Osage county, asking for the submission of a constitutional amendment embodying the principles of direct legislation, known as the initiative and referendum;

Read and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Heather presented a petition from citizens of Ralls county protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

Senator Stubbs introduced Senate bill No. 310, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Agriculture, Roads, Bridges and Ferries, submitted the three following reports:

Mr. President: Your Committee on Agriculture, Roads, Bridges and Ferries, to which was referred House bill No. 95, entitled

An act entitled an act to repeal section 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336 of article 14, chapter 168 of the Revised Statutes, 1899, of Missouri, entitled "Roads, highways and bridges," and enact new sections in lieu thereof, to be known as sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Agriculture, Roads, Bridges and Ferries, to which was referred Senate bill No. 261, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on public roads and highways,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Agriculture, Roads, Bridges and Ferries, to which was referred Senate bill No. 268, entitled

An act to amend section 9560, article 6, chapter 151, Revised Statutes of Missouri of 1899, by striking out certain words and figures therefrom,

Begs leave to report that it has examined the same, and recommends that it do pass, with the following amendment:

Which were read.

Senate amendment No. 1 to Senate bill No. 268:

Amend printed bill by inserting between the word "roads" and the word "and," in the 9th line thereof, the following words: "And when so established, the same shall be subject to the use of the public the same as other private roads;"

Read first and second times and agreed to.

Senator Tandy, from the Committee on Agriculture, Roads and Highways, Bridges and Ferries, submitted the two following reports:

Mr. President: Your Committee on Agriculture, Roads, Bridges and Ferries, to which was referred committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, entitled

An act to repeal sections 9427, 9432, 9436 and 9437, article 1, chapter 151, Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 9427, 9432, 9436 and 9437.

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Agriculture, Roads, Bridges and Ferries, to which was referred committee substitute for House bills Nos. 3, 56, 104, 30, entitled

An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections, to be known as sections 9696a, 9696b, 9696c, 9696d, 9696e, 9696f, 9696g, 9696h, 9696i, 9696j, 9696k, 9696l, 9696m, 9696n, 9696o, 9696p, 9696q, 9696r, 9696s, 9696t, 9696u, 9696v, 9696w, 9696x, 9696y, 9696z, with an emergency clause,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which were read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following twenty reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner,

Begs leave to report that it has examined the same, and returns same without recommendation;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 88, entitled

An act to amend article 1, chapter 22, section 3018 of the Revised Statutes of 1899, relating to dramshops,

Begs leave to report that it has examined the same, and returns same without recommendation;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 96, entitled

An act to prevent the violation of chapter 139, Revised Statutes of 1899, entitled "Pawnbrokers," and defining the business of a pawnbroker, to be known as section 8860,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 258, entitled

An act to regulate opera houses, theaters and public halls,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 150, entitled

An act to repeal article 7 of chapter 91, Revised Statutes, 1899,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 229, entitled

An act to provide against the use of poisonous or other deleterious ingredients in the manufacture of candy, and to regulate the manufacture and sale of adulterated candies, and to repeal section 2279 of the Revised Statutes of 1899, and an act amendatory thereof, approved March 20, 1897,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 182, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary and educational institutions from being interested, directly or indirectly, in contracts for work or supplies for said institutions, and providing for their removal,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 204, entitled

An act to amend section 2764 of the Revised Statutes of Missouri, 1899, entitled "Criminal cases, practice and proceedings in,"

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 140, entitled

An act to repeal sections 2245 and 2246, Revised Statutes, 1899,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 121, entitled

An act to repeal section 2064 of article 5 of chapter 15, entitled "Crimes and punishments," and enacting a new section in lieu thereof,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—board of examiners,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 25, entitled

An act to amend section 1853, article 2 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against the lives and persons of individuals,"

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 266, entitled

An act to amend section 4778, chapter 60, article 2 of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large,"

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 263, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto, and by repealing section 2298 of said article,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 262, entitled

An act to amend article 8 of chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 95, entitled

An act to prevent storagehouse or warehousemen from doing business as pawnbrokers, to be known as sections Nos. 10572 and 10573, and adding to chapter 172 of the Revised Statutes of 1899,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 63, entitled

An act to regulate the practice of veterinary medicine, veterinary surgery, or any branch thereof, including veterinary dentistry, in the State of Missouri, and prescribing penalty for the violation of the same,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theaters, music halls, factories, office buildings, church buildings, and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 116, entitled

An act to amend section 2267 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Offenses against public morals or decency, or the public police and miscellaneous offenses,"

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 287, entitled

An act to repeal sections 1939 and 1940 of the Revised Statutes of 1899, providing penalties for defrauding a gas company and for altering a gas meter for a fraudulent purpose, and providing a new section in lieu thereof, applying such penalties to gas companies and, in addition, to electric light and power companies, to water companies, to steam companies, to refrigerating companies and to all companies and persons furnishing a gas or liquid through pipes to consumers,

Begs leave to report that it has examined the same, and recommends that it do pass, with amendment No. 1:

Senate amendment No. 1 to Senate bill No. 287:

Amend by striking out the word "and," in last line of section 1939, and insert in lieu thereof the word "or;"

Read first and second times, and agreed to;

Which were read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the seven following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 232, entitled

An act relating to propagation and preservation of game animals, birds and fish,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 165, entitled

An act to amend chapter 96 of the Revised Statutes of 1899, entitled "Coroners and inquests," by adding thereto a new section, to be known as section 6633a,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 120, entitled

An act to prevent and punish the desecration of the flag of the United States,

Begs leave to report that it has examined the same, and reports same without recommendation;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 103, entitled

An act fixing the salaries to be paid to justices of the peace and constables in townships which now have or may hereafter have a population of one hundred and fifty thousand inhabitants and less than three hundred thousand inhabitants, and directing the disbursement of fees, and providing for the election and appointment of constables, deputy constables, clerks and deputy clerks of said justices, and fixing their salaries, and to repeal article 11 of chapter 43 of the Revised Statutes of 1899,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 42, entitled

An act to protect and preserve the birds of Missouri from destruction, to provide for the enforcing of the same, and to provide for the appointment of game wardens,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 55, entitled

An act relating to the propagation and preservation of game animals, birds and fish,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Which were read.

On motion of Senator Orchard, Senate bill No. 55 was indefinitely postponed.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the eight following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 323, entitled

An act to repeal section 1937 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 121, entitled

An act to amend section 2194 of the Revised Statutes of 1899 by inserting certain words,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 178, entitled

An act to amend article 2 of chapter 69 of the Revised Statutes of 1899, entitled "Animals restrained from running at large," by enacting a new section, to be known as section 4777a,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 128, entitled

An act to amend section 2997, chapter 22 of the Revised Statutes of Missouri, 1899, entitled "Dramshops, Excise Commissioner and local option,"

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 68, entitled

An act to amend chapter 12, article 8, Revised Statutes of Missouri, 1899, by adding a new section preventing bank officials from using the funds of bank and providing a penalty therefor,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 154, entitled

An act to repeal section 4789, article 2, chapter 69, Revised Statutes of 1899, relating to restraining animals from running at large and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 10, entitled

An act to amend section 1817, chapter 15, article 2 of the Revised Statutes of the State of Missouri, relating to offenses against the lives and persons of individuals,

Begs leave to report that it has examined the same and reports same without recommendation;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 167, entitled

An act to repeal section 1825 of article 2, chapter 12, Revised Statutes of Missouri, and enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that there has been introduced into and passed by the House,

Substitute for House joint and concurrent resolution No. 7

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning revenue and taxation,

In which the concurrence of the Senate is respectfully requested;

Which was read.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 265, entitled

An act authorizing each one of the judges of the Supreme Court, and Courts of Appeals to appoint a clerk,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

Senator Schoenlaub, from the Committee on Life and Accident Insurance and Fraternal Association, submitted the three following reports:

Mr. President: Your Committee on Life and Accident Insurance and Fraternal Association, to which was referred Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words,

Begs leave to report that it has examined the same and recommends that it do pass:

Mr. President: Your Committee on Life and Accident Insurance and Fraternal Association, to which was referred Senate bill No. 242, entitled

An act requiring all insurance companies to indorse on or attach policies issued by them copies of the application and of the medical examination on which said policies are issued and prescribing a penalty for omission to do so,

Begs leave to report that it has examined the same and recommends that it do pass:

Mr. President: Your Committee on Life and Accident Insurance and Fraternal Association, to which was referred Senate bill No. 177, entitled

An act requiring corporations doing a life insurance business in the State of Missouri on the mutual plan to furnish the Insurance Department annual statements of the individual compensation received by the officers and directors of such corporations, together with account of expenses, commissions paid for business, and earnings of investments,

Begs leave to report that it has examined the same and recommends that it do pass:

Which were read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the four following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property;

Also, Senate bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled "Elections" and relating to registration in cities having a population of twenty-five thousand inhabitants and less than one hundred thousand inhabitants, by adding a new section thereto, to be known as section 7205a;

Also, Senate bill No. 18, entitled

An act to amend section 1990 of article 3 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against public and private property;"

Also, Senate bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899, of the revenue law, entitled "collector's commissions."

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Clay, called up Senate bill No. 112, and moved that the following House amendment to the title of the bill be concurred in.

The motion prevailed.

House amendment No. 1 to title of Senate bill No. 112:

Amend title to Senate bill No. 112 by adding the words "with an emergency clause."

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 112, entitled

An act to repeal article 2 of chapter 121 of the Revised Statutes of Missouri, 1899, and to create a State Board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said Board, with an emergency clause,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senator Zevely introduced Senate bill No. 311, entitled

An act to amend section 7896 of article 2, chapter 119, Revised Statutes of 1899, entitled "Life and Accident Insurance;

Read first time and 150 copies ordered printed.

House bill No. 403, entitled

An act to prevent the introduction and dissemination in Missouri of dangerous insect pests and fungoid or other contagious or infectious diseases dangerously injurious to fruit trees, vines, bushes or nursery stock,

Was taken up and read first time.

House bill No. 192, entitled

An act to amend chapter 14, article 5 of the Revised Statutes of Missouri relating to courts of record by adding a new section thereto, to be known as section 1809a, defining the duties of county courts in regard to officers handling public funds,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 344, entitled

An act compelling corporations, companies or persons owning or operating any railroad or branch thereof in this State to construct and maintain over all coal chutes owned or operated by them sufficient coverings to protect from rain, snow and sleet all persons whose duty it is in the course of their employment by such corporation, company or person to labor at, in or on such chutes,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Committee substitute for House bills Nos. 2, 17, 22, 55 and 201, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same, and providing penalties for the violation of this act, with an emergency clause,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senator Matthews presented a petition from the citizens of St. Louis, asking for the repeal of the law relating to the preparation of baking powders and other food stuffs;

Read and referred to the Committee on Criminal jurisprudence.

Senate bill No. 250 was taken up and laid over informally.

Senator Rollins called up Senate bill No. 101, and moved that the vote by which the bill was ordered engrossed be reconsidered.

The motion prevailed.

Senator Rollins offered the following amendment to the bill:

Amendment No. 1 to Senate bill No. 101:

Amend Senate bill No. 101 by adding after the word "or" in the first line, the words: "After one year from the passage of this act," also by striking out in lines five and six the words "a full and complete formula of the entire contents of such drug or medicine;" and in place thereof insert the words "a statement of the quantity of arsenic, cocaine, chloral or opium, which every package or bottle contains;"

Read first and second time and agreed to.

Senator Rollins moved that Senate bill No. 101, as amended, be ordered engrossed and printed.

The motion prevailed by the following vote:

YEAS—Senators

Clarke,  
Collins,  
Davisson,  
Drabelle,

Haynes,  
Jewell,  
Morton,  
Orchard,

Ramp,  
Rollins,  
Rube,  
Schoenlaub,

Smith,  
Sullivan,  
Walker,  
Whaley—16.

NAYS—Senators

Biggs,  
Bradley,  
Clay,

Costello,  
Dowell,  
Fields,

Heather,  
Martin,  
Stubbs,

Tandy,  
Thomas,  
Zevely—12.

Absent with leave—Senators

Farris,

Lee,

Marshall,

Matthews—4.

Sick—Senator Cooper—1.

Senator Rubey, from the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 230, entitled

An act appropriating money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902,

Begs leave to report that it has examined the same and recommends that it do pass, with the accompanying amendments;

Which was read.

Senator Rubey moved that House bill No. 230, with amendment be referred to Committee of the Whole.

The motion prevailed.

Senate resolved itself into a Committee of the Whole.

Senator Rubey, from the Committee of the Whole, submitted the following report:

Mr. President: Your Committee of the Whole, to which was referred House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902,

Begs leave to report that it has examined the same, and recommends that it do pass, with accompanying amendments Nos. 1, 2, 3, 4, 5, 6, 7 and 8;

Which was read.

Pending consideration of amendments, the Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The hour of recess having expired,  
The President called the Senate to order.

The pending question being consideration of amendments reported by Committee of the Whole on House bill No. 230:

Senate amendment No. 1 to House bill No. 230:

Amend section 2 by striking out all after the word "stenographer." in lines 4 and 5 of the printed bill, and inserting in lieu thereof the words and figures as follows: "Three thousand dollars (\$3,000), and for the salary of a Pardon Attorney, three thousand dollars (\$3,000); in all, twenty-two thousand dollars (\$22,000)."

Was read first and second times and agreed to.

Amount No. 2 to House bill No. 230:

Strike out the word "clerk," in 4th line, section 2, and insert the words "private secretary,"

Was read first and second times and agreed to.

Senate amendment No. 3 to House bill No. 230:

Amend section 4 by striking out all after the abbreviation "etc." in line 7 of printed bill, and inserting in lieu thereof the following: "twenty-eight thousand two hundred and twenty dollars (\$28,220); in all, thirty-eight thousand two hundred and twenty dollars (\$38,220)."

Was read first and second times and agreed to.

Senate amendment No. 4 to House bill No. 230:

Amend section 5 by striking out all after the word "auditor," in line 9 of the printed bill, and inserting in lieu thereof the following: "Nineteen thousand eight hundred dollars (\$19,800); in all, forty-seven thousand and six hundred dollars (\$47,600)."

Was read first and second times and agreed to.

Amendment No. 5 to House bill No. 230:

Strike out "\$5,400" in words and figures, in line 4 of section 6, and insert "\$6,400, \$4,000 of which shall be paid to the chief clerk,"

Was read first and second times and agreed to.

Senate amendment No. 6 to House bill No. 230:

Amend section 6 by striking out the words and figures "thirteen thousand two hundred dollars (\$13,200)," in lines 6 and 7 of the printed bill, and inserting in lieu thereof the words and figures, "fourteen thousand two hundred dollars (\$14,200)."

Was read first and second times and agreed to.

Senate amendment No. 7 to House bill No. 230:

Amend section 9 by striking out the words and figures "twelve hundred dollars (\$1,200)," in lines 2 and 3 of the printed bill, and inserting in lieu thereof the words and figures "eighteen hundred dollars (\$1,800)."

Was read first and second times and agreed to.

Senate amendment No. 8 to House bill No. 230:

Amend section 10 by striking out all after the semicolon in line 4 of the printed bill and inserting in lieu thereof the following: "for

salary of the clerk of the mine inspection department, three thousand dollars (\$3,000);" in all, thirteen thousand dollars (\$13,000),

Was read first and second times and agreed to.

Senator Rubey moved that the rules be suspended and House bill No. 230, as amended, be read third time and put upon its passage.

The motion prevailed.

House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Bradley,  | Fields,   | Orchard,    | Sullivan,  |
| Clarke,   | Haynes,   | Ramp,       | Tandy,     |
| Collins,  | Jewell,   | Rubey,      | Thomas,    |
| Costello, | Lee,      | Schoenlaub, | Walker,    |
| Davisson, | Martin,   | Smith,      | Whaley—25. |
| Dowell,   |           |             |            |

NAY—Senator Rollins—1.

Absent with leave—Senators

|         |           |         |           |
|---------|-----------|---------|-----------|
| Clay,   | Heather,  | Morton, | Zevely—6. |
| Farris, | Marshall, |         |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Orchard,    | Sullivan,  |
| Bradley,  | Fields,   | Ramp,       | Tandy,     |
| Clarke,   | Haynes,   | Rubey,      | Thomas,    |
| Collins,  | Jewell,   | Schoenlaub, | Walker,    |
| Costello, | Lee,      | Smith,      | Whaley,    |
| Davisson, | Martin,   | Stubbs,     | Zevely—26. |
| Dowell,   | Matthews, |             |            |

NAYS—None.

Absent—Senators

|         |          |           |            |
|---------|----------|-----------|------------|
| Clay,   | Farris,  | Marshall, | Rollins—7. |
| Cooper, | Heather, | Morton,   |            |

The title to the bill was read and agreed to.

Senator Rubey moved that the vote by which House bill No. 230, together with the emergency clause, was passed, be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Fields introduced Senate bill No. 312, entitled

An act to amend section 1423, chapter XII, article II of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations;

Read first time and 150 copies ordered printed.

Senator Zevely presented a remonstrance from citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the two following reports:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 260, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and

decency, or the public police and miscellaneous offenses, by adding two new sections thereto, to be known as sections 2298a and 2298b,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 275, entitled

An act to amend section 3020 of the Revised Statutes of Missouri of 1899, relating to granting dramshop licenses in cities of two hundred thousand inhabitants or over, by authorizing the transfer of said licenses, and by adding a new section to said act, to be known as section 3026a,

Begs leave to report that it has examined the same, and recommends that it do pass, with amendment No. 1;

Which were read.

Amendment No. 1 to Senate bill No. 275:

Amend Senate bill No. 275 by adding at the end of section 1, the following: "Provided, said dramshop is to be kept at the same place where the license was granted;"

Read first and second times and agreed to.

Senator Orchard presented a petition from the citizens of his district, asking for the passage of the Barbers' bill;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Haynes called up Senate bill No. 226, and moved that it be engrossed and printed.

The motion prevailed.

Senate bill No. 226 was taken up and ordered engrossed and printed.

Senator Orchard called up Senate bill No. 148, and moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 148, entitled

An act to prevent the issuance of life insurance upon persons under the age of fifteen (15) years, and to provide a penalty therefor,

Was read third time and was lost by the following vote:

YEAS—Senators

|         |          |          |            |
|---------|----------|----------|------------|
| Biggs,  | Heather, | Orchard, | Thomas,    |
| Clay,   | Lee,     | Rollins, | Walker,    |
| Dowell, | Morton,  | Rubey,   | Whaley—12. |

NAYS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Bradley, | Drabelle, | Martin,     | Stubbs,    |
| Clarke,  | Fields,   | Matthews,   | Sullivan,  |
| Collins, | Haynes,   | Schoenlaub, | Tandy,     |
| Davison, | Jewell,   | Smith,      | Zevely—16. |

Absent with leave—Senators

|           |         |           |         |
|-----------|---------|-----------|---------|
| Costello, | Farris, | Marshall, | Ramp—4. |
|-----------|---------|-----------|---------|

Sick—Senator Cooper—1.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

Concurrent resolution of the House and Senate of the Forty-first General Assembly of the State of Missouri, requesting the members of Congress of Missouri to cause to be enacted by the Congress of the United States legal provision for the issuing of honorable discharge of papers to certain militia organizations of the State of Missouri;

Also, House bill No. 561, entitled

An act to redistrict the State into judicial circuits and to fix the terms of courts therein, with title amended by adding thereto the words "creating a new circuit and providing for appointment of a judge therein;"

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Lee introduced Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts;  
Read first time and 150 copies ordered printed.

Senator Whaley, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the six following reports:

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred Senate bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States fish hatchery at Neosho, Mo., and ceding jurisdiction over the same,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred joint and concurrent resolution No. 12, entitled

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof concerning taxation,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred joint and concurrent resolution No. 8, entitled

Submitting to the qualified voters of the State an amendment to section 11, article 10 of the Constitution of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred joint and concurrent resolution No. 9, entitled

Submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article IX, and enacting a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred joint and concurrent resolution No. 10, entitled

Submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, etc., to which was referred Senate joint and concurrent resolutions Nos. 5 and 6:

Joint and concurrent resolution No. 5:

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to provide for the issuing of additional certificates; and to provide for the payment of the interest thereon; and

Joint and concurrent resolution No. 6:

To amend the Constitution by repealing section 14 of article 10 of the Constitution and adopting in lieu thereof a new section; and repealing all parts of the Constitution in conflict therewith,

Begs leave to report that it has examined the accompanying substitute and recommends that they do pass;

Which were read.

Committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6 was read, and on motion of Senator Rubey, 150 copies ordered printed for the use of the Senate.

Senator Tandy moved that the rules be suspended to take up Senate bill No. 246.

The motion prevailed.

Senate bill No. 246 was ordered engrossed and printed.

Senator Dowell, from the Committee on Enrolled bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand;"

Also, Senate bill No. 109, entitled

An act to create the office of Pardon Attorney; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

A message was received from the Governor, through his Private Secretary.

[For message, see Appendix.]

Senator Heather presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Rollins moved to suspend the rules and take up Senate bill No. 72.

The motion prevailed.

Senate bill No. 72 was laid over informally.

Senator Morton moved that after the completion of the order of business of engrossed and enrolled bills, that Senate adjourn under the rules.

The motion prevailed.

Senator Thomas called up Senate bill No. 248, and moved that bill be ordered engrossed and printed.

The motion prevailed.

Senator Clay called up Senate bill No. 272 and moved that it be ordered engrossed and printed.

The motion prevailed.

Senate bill No. 273 was ordered engrossed and printed.

Senate bill No. 169 was ordered engrossed and printed.

Senate bill No. 286 was ordered engrossed and printed.

Senate bill No. 259 was ordered engrossed and printed.

Senate bill No. 212 was ordered engrossed and printed.

Senate bill No. 202 was ordered engrossed and printed.

Senate bill No. 217 was ordered engrossed and printed.

Senate bill No. 194 was ordered engrossed and printed.

Senate bill No. 46 was ordered engrossed and printed.

Senate bill No 176 was taken up.

Senator Collins moved the bill be ordered engrossed and printed.

Roll call demanded.

The motion was lost by the following vote:

YEAS—Senators

Collins,  
Davisson,

Drabelle,  
Haynes,

Jewell,  
Rollins,

Schoenlaub,  
Smith—8.

NAYS—Senators,

Biggs,  
Bradley,  
Clarke,  
Clay,  
Costello,

Dowell,  
Fields,  
Heather,  
Lee,  
Martin,

Orchard,  
Rubey,  
Stubbs,  
Sullivan,

Tandy,  
Thomas,  
Walker,  
Whaley—18.

Absent with leave—Senators

Farris,  
Marshall,

Matthews,  
Morton,

Ramp,

Zevely—6.

Sick—Senator Cooper—1.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, February 27, 1901.

To the President of the Senate:

I have the honor herewith to return to the Senate, with my approval indorsed thereon, the following bills:

Senate bill No. 26, entitled "An act to amend section 9387 of article 9 of chapter 149 of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies."

Senate bill No. 27, entitled "An act to amend section 9388 of article 9 of chapter 149, of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies."

Senate bill No. 28, entitled "An act to amend section 9390 of article 9 of chapter 149 of the Revised Statutes of 1899, relating to the taxation of bridges and the real and personal property and franchises of telegraph, telephone and express companies."

Senate bill No. 29, entitled "An act to amend section 9391 of article 9 of chapter 149 of the Revised Statutes of 1899, relating to the taxation of bridges, and the real and personal property and franchises of telegraph, telephone and express companies."

Senate bill No. 122, entitled "An act to amend section 6353 of article 13, chapter 91 of the Revised Statutes of 1899, relating to the issue and terms of bonds of cities, towns and villages, with an emergency clause."

Respectfully,

A. M. DOCKERY, Governor.

Senate enrolled bill No. 8, entitled

An act to amend section 9260 of the Revised Statutes of 1899 of the revenue law, entitled "Collector's commissions,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become

a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 92, entitled

An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled "Elections" and relating to registration in cities having a population of twenty-five thousand inhabitants and less than one hundred thousand inhabitants, by adding a new section thereto, to be known as section 7205a.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 112, entitled

An act to repeal article 2 of chapter 121 of the Revised Statutes of Missouri, 1899, and to create a State Board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said Board,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 142, entitled

An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Offenses against public and private property."

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 18, entitled

An act to amend section 1990 of article 3 of chapter 15 of the Revised Statutes of 1899, entitled "Offenses against public and private property,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 109, entitled

An act to create the office of Pardon Attorney; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The Senate adjourned until 10 a. m. tomorrow.

## FORTY-SECOND DAY—Thursday, February 28, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senators Tandy, Costello, Sullivan, Marshall, Whaley, Zevely, Clay, Martin, Ramp and Stubbs presented remonstrances from citizens of each of their respective districts against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Which were read, and referred to Committee on Criminal Jurisprudence.

Senators Costello and Whaley presented petitions from their respective districts requesting the passage of House bill No. 88 and Senate bill No. 110, relating to the adulteration of baking powders, etc.;

Which were read, and referred to Committee on Criminal Jurisprudence.

Senator Thomas introduced Senate bill No. 314, entitled

An act to provide for the reimbursement of Jasper county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county;

Read first time and 150 copies ordered printed.

Senator Thomas introduced Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribe his duties, providing for his appointment and abolishing the office of chief clerk in the office of the Attorney-General;

Read first time and 150 copies ordered printed.

Senator Haynes introduced Senate bill No. 316, entitled

An act creating the office of County Auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and prescribing his duties in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants;

Read first time and 150 copies ordered printed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the three following reports:

Mr. President: Your Committee on Privileges and Elections, to which was referred House bill No. 70, entitled

An act to amend section seven thousand and ninety-one (7091) of article 2, chapter 102, Revised Statutes of Missouri, 1899, relating to elections,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 208, entitled

An act to repeal sections 7000 and 7046 of chapter 102, article one of the Revised Statutes of the State of Missouri of 1899, relating to general elections, and to enact new sections in place thereof, and also to add a

new section to said chapter 102, article one of said Revised Statutes to be known as section 7031a,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 269, entitled

An act to amend section 7071, article 1, chapter 102, entitled "Elections," in relation to appeals in contested election cases,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submitted the six following reports:

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 100, entitled

An act creating the office of State Chemist, providing for the salary of same and prescribing the duties of said office,

Begs leave to report the same without recommendation;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 93, entitled

An act to regulate the practice of medicine in the State of Missouri,

Begs leave to report the same without recommendation;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right of way for railroad purposes over the lands belonging to the State of Missouri for the use of said asylum,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 274, entitled

An act to regulate the sale of cocaine and of preparations containing cocaine,

Begs leave to report the same without recommendation;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred committee substitute for House bill No. 247, entitled

An act to repeal section 4856, chapter 72, article 1, Revised Statutes, 1899, and to enact a new section in lieu thereof, to be known as section 4856, relating to asylums and insane persons,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred House bill No. 302, entitled

An act to amend section 7808, Revised Statutes of Missouri of 1899,

Begs leave to report that it has examined the same and recommends that it do pass with two amendments:

Which were read.

Amendment No. 1 to House bill No. 302:

Strike out the title to said bill and insert in lieu thereof the following:

"An act to amend section 7808 of chapter 118, article 9 of the Revised Statutes of the State of Missouri, 1899, relating to institutions—eleemosynary;

Read first and second times and agreed to.

Amendment No. 2 to House bill No. 302:

Amend House bill No. 302 by adding a new section immediately after the enacting clause, to be known as section 1, to wit:

Sec. 1. Section 7808 of chapter 118, article 9 of the Revised Statutes of the State of Missouri, 1899, relating to institutions, eleemosynary, is hereby amended by inserting between the figure "8" and the word "school" in the fourth line of said section, the following words and figures, viz.: "State hospital for insane No. 4." "The Missouri colony for the feeble minded and epileptic," so that said section, when amended, shall read as follows:

Read first and second times and agreed to.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submitted the following report:

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred House bill No. 234, entitled

An act changing the names of certain eleemosynary institutions,

Begs leave to report that it has examined the same and recommends that it do pass with three amendments:

Which was read.

Amendment No. 1 to House bill No. 234:

Amend the title to House bill No. 234 by striking out said title and inserting in lieu thereof the following: "An act to repeal sections 4896, 4898 and 4900, chapter 72, article 1 of the Revised Statutes of Missouri, 1899, relating to asylums, and to enact a new section in lieu of said section;"

Read first and second times and agreed to.

Amendment No. 2 to House bill No. 234:

Amend section 1 of House bill No. 234 by striking out the letter "s" from the end of the word "sections" and the figures "4896, 4896a and 4898 and 4900" from the third line of said section;

Read first and second times and agreed to.

Amendment No. 3 to House bill No. 234:

Amend House bill No. 234 by striking out all of section 4896, 4896a, 4898 and 4900, and inserting in lieu thereof the following, to be known as section 2 of said act:

Sec. 2. The State hospital, located near Fulton, Missouri, shall be known as the "State Hospital for Insane No. 1;" the State Hospital located near St. Joseph, Missouri, shall be known as the "State Hospital for Insane No. 2;" the State hospital located near Nevada, Missouri, shall be known as the "State Hospital for Insane No. 3;" and the State Hospital located near Farmington, Missouri, shall be known as the "State Hospital for Insane No. 4."

Read first and second times and agreed to.

Senator Rubey, from the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 203, entitled

An act to repeal section 10429 of article I, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and enacting a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the five following reports:

Mr. President: Your Committee on County Courts and Justices of Peace, to which was referred House bill No. 196, entitled

An act to amend article 2, chapter 43 of the Revised Statutes of

1899 by adding a new section thereto, relating to the jurisdiction of justices of the peace,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred Senate bill No. 282, entitled

An act to provide for the election of justices of the peace and constables in cities now having or which hereafter may have three hundred thousand inhabitants or more; to define the jurisdiction of said justices and the practice in the courts thereof; and the duties of said justices and constables and fix their term of office, and repeal article 22, entitled "Justices and constables in cities with 300,000 inhabitants or over," of chapter 91 of the Revised Statutes of 1899,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on County Courts and Justices of Peace, to which was referred Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Revised Statutes of 1899, entitled "Destruction of certain papers after five years,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred Senate bill No. 135, entitled

An act to repeal section 6709 of article 2, chapter 97 of the Revised Statutes of Missouri, 1899, entitled "County buildings and removal of county seats," and to enact two new sections in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on County Courts and Justices of Peace, to which was referred Senate bill No. 257, entitled

An act to amend section 5187, chapter 84 of the Revised Statutes of 1899, relating to bridges,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The nine following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

Substitute for the committee substitute for House bill No. 163, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539 and enacting in lieu thereof new sections, to be known as 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539;

Also, House bill No. 353, entitled

An act to amend section 834, chapter 8 of article 11 of the Revised Statutes of Missouri, relating to changes of venue, and pay of judge trying cause;

Also, committee substitute for House bill No. 160, entitled

An act creating a board of public works in cities of the second class, prescribing its powers and duties and repealing all acts or parts of act inconsistent herewith;

Also, committee substitute for House bill No. 158, entitled

An act repealing sections 5537, 5538 and 5548 of the Revised Statutes of Missouri, 1899, relating to the city officers in cities of the second class and enacting new sections in lieu thereof;

Also, House bill No. 338, entitled

An act to repeal section 1793 of article 5, chapter 14, Revised Statutes of Missouri for 1899, and to enact a new section in lieu thereof, to be known as section 1793, relating to the duty of county courts to cause certain prisoners to be worked;

Also, House bill No. 191, entitled

An act requiring telegraph companies to transmit with all messages the exact time of the filing thereof, and providing penalties for violation of such requirement;

Also, committee substitute for House bill No. 67, entitled

An act to amend section 6566, article 23, chapter 91, Revised Statutes of Missouri, 1899, relating to juries in cities with over one hundred thousand inhabitants;

Also, committee substitute for House bills Nos. 254 and 258, entitled

An act to repeal sections 5898 and 5907 of article 5, chapter 91 of Revised Statutes of Missouri of 1899, with an emergency clause, relating to cities of the fourth class, with title amended by inserting between the figures "1899" and the word "with," the following words: "and to enact two new sections in lieu thereof;"

Also, Senate bill No. 2, entitled

An act to amend section 5157 of article 1, chapter 83, Revised Statutes of Missouri of 1899, in relation to funding counties, townships, school districts and other bonds;

In which the concurrence of the Senate is respectfully requested;

Senator Martin, from the Committee on Ways and Means, submitted the two following reports:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 201, entitled

An act requiring the State auditor to prescribe forms of all blanks and books used by the officers of the revenue service, and the rules for settlements with the Treasury Department for moneys collected for the State, and providing for the employment of accountants, and fixing their compensation,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 238, entitled

An act to amend article 2 of chapter 149 of the Revised Statutes of Missouri of 1899, entitled "The assessment and collection of the revenue," by adding a new section thereto, to be known as section 9188a, providing for the publication of the personal assessment list and the manner thereof, in all counties in this State except in cities having or which may hereafter have 300,000 inhabitants,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the seven following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2 of chapter 133 of the Revised Statutes of Missouri, 1899, entitled "Safety and inspection of mines," and enact two new sections in lieu thereof,

Also, Senate bill No. 151, entitled

An act respecting the identification of criminals,

Also, Senate bill No. 197, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenues," and providing for the taxation of mortgages and deeds of trust;

Also, Senate bill No. 198, entitled

An act to amend section 9121 of article 1 of chapter 149 of the Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenue;"

Also, Senate bill No. 199, entitled

An act to amend section 9151 of article 2 of chapter 149 of the Revised Statutes of 1899, entitled "Assessors and the assessment of property;"

Also, Senate bill No. 245, entitled

An act to repeal section 3244 of chapter 27, article one of the Revised Statutes of the State of Missouri of 1899, entitled "Salaries and fees," and to enact a new section in lieu thereof,

Also, Senate bill No. 256, entitled

An act to amend section 3265 of article 1, chapter 27 of the Revised Statutes of 1899, relating to fees,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Concurrent resolution of the House of Representatives of the 41st General Assembly, which was asked the concurrence of the Senate in requesting the members of Congress from Missouri to cause to be enacted by the Congress of the United States legal provisions for the issuing of honorable discharge papers to the 76th, 77th and 35th regiments of the enrolled militia of the State of Missouri,

Was read and concurred in.

House committee substitute for joint and concurrent resolution No. 7, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning revenue and taxation,

Was taken up and read first time.

House bill No. 561, entitled

An act to redistrict the State into judicial circuits and to fix the terms of courts therein.

Was taken up and read first time.

House bill No. 403, entitled

An act to prevent the introduction and dissemination in Missouri of dangerous insect pests and fungoid or other contagious or infectious

diseases dangerously injurious to fruit trees, vines, bushes or nursery stock,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Senate bill No. 260 was taken up and laid over informally.

Senate bill No. 275 was taken up and ordered engrossed and printed.

Senate bill No. 63 was taken up and laid over informally.

Senate bill No. 95 was taken up and laid over informally.

Senate bill No. 116 was ordered engrossed and printed.

Senator Rollins moved that Senate bill No. 120 be ordered engrossed and printed.

Roll call demanded.

Senate bill No. 120 was ordered engrossed and printed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Clarke,   | Fields,   | Rollins,    | Tandy,     |
| Clay,     | Haynes,   | Rubey,      | Thomas,    |
| Collins,  | Jewell,   | Schoenlaub, | Walker,    |
| Costello, | Matthews, | Smith,      | Whaley,    |
| Davison,  | Ramp,     | Stubbs,     | Zevely—21. |
| Drabelle, |           |             |            |

NAYS—Senators,

|                            |           |          |             |
|----------------------------|-----------|----------|-------------|
| Biggs,                     | Dowell,   | Martin,  | Morton—6.   |
| Bradley,                   | Heather,  |          |             |
| Absent with leave—Senators |           |          |             |
| Farris,                    | Marshall, | Orchard, | Sullivan—5. |
| Lee,                       |           |          |             |

Sick—Senator Cooper—1.

Senate bill No. 255 was ordered engrossed and printed.

Senate bill No. 263 was ordered engrossed and printed.

Senate bill No. 266 was laid over informally.

On motion of Senator Rollins, Senate bill No. 73, as amended, was ordered engrossed and printed.

Senator Rollins called up Senate bill No. 73, and offered the following amendment:

Amend Senate bill No. 73 by striking out all after the enacting clause, and in place thereof insert the following:

That section 5034 of Revised Statutes, 1899, be and the same is hereby amended by striking out in the last line of said section the figures "50,000," and in place thereof insert the figures "5,000," so that said section, when so amended, will read as follows:

Section 5034. Barbers must obtain certificates of registration—exceptions.—It shall be unlawful for any person to follow the occupation of a barber in this State, unless he shall have first obtained a certificate of registration, as provided in this chapter: Provided, however, that nothing in this chapter contained shall apply to or effect any person who is now actually engaged in such occupation, except as hereinafter provided: Provided, that the provisions of this law shall not apply to barbers in any city, town or village containing less than 5,000 inhabitants.

Which was read first and second times and agreed to.

Senate bill No. 287 was ordered engrossed and printed.

Senate bill No. 42 was taken up, and on motion of Senator Clarke, was indefinitely postponed.

Senate bill No. 177 was taken up and laid over informally.

Senate bill No. 219 was ordered engrossed and printed.

Senate bill No. 242 was ordered engrossed and printed.

Senate bill No. 265 was taken up.

Senator Matthews moved that the bill be ordered engrossed and printed.

Senator Drabelle offered the following amendment:

Amendment No. 1 to Senate bill No. 265:

Amend Senate bill No. 265, section 1, by adding at the end thereof the following words: "who shall be a competent stenographer and typewriter;"

Which was read first and second times and agreed to.

The question recurring on the motion to engross and print,

The motion prevailed.

Senate bill No. 265, as amended, was ordered engrossed and printed.

Senate bill No. 25 was taken up, and on motion of Senator Dowell, was indefinitely postponed.

Senate bill No. 103 was taken up.

Senator Clarke offered the following amendment:

Amendment No. 1 to Senate bill No. 103:

Amend 7th line of section 1 of Senate bill No. 103 by striking out word "five," between "thirty" and "thousand;"

Which was read first and second times and agreed to.

Senate bill No. 103, as amended, was ordered engrossed and printed.

Senate bill No. 121 was ordered engrossed and printed.

Senate bill No. 149 was, on motion of Senator Sullivan, indefinitely postponed.

Senate bill No. 165 was ordered engrossed and printed.

Senate bill No. 182 was taken up and laid over informally.

Senate bill No. 232 was ordered engrossed and printed.

Senator Zevely moved that vote by which Senate bill No. 242 was ordered engrossed and printed be reconsidered.

The motion prevailed.

The bill was laid over informally.

Senate bill No. 236 was taken up and the following amendments were offered by Senator Tandy:

Amendment No. 1 to Senate bill No. 236:

Amend section 4750 by inserting after the word "of" and before the word "this," in the seventh line, the following: "sections 4745, 4746, 4747, 4748 and 4749 of:" and also after the word "peace" and before the word "or," in the twelfth line of section 4750, the following words: "of the city or county where such violation occurs;"

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 236:

Amend section 4751 by adding after the word "therein," in the thirty-second line of said section, the following words: "in all civil actions as provided for in section 4750 of this act;"

Read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 262, as amended, was ordered engrossed and printed.

Senate bill No. 294 was ordered engrossed and printed.

Senate bill No. 96 was taken up and laid over informally.

Senate bill No. 150 was, on motion of Senator Sullivan, indefinitely postponed.

Senate bill No. 229 was ordered engrossed and printed.

Senate bill No. 258 was ordered engrossed and printed.

Senator Morton moved that Senate take up House amendments 1 and 2 to committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114.

House amendments Nos. 1 and 2 were read.

Senator Bradley moved that the Senate do not concur in House amendments Nos. 1 and 2.

Senator Martin moved as a substitute for that motion that the Senate do concur.

The motion of Senator Martin was declared out of order.

The question recurring on motion to not concur in House amendments Nos. 1 and 2 to committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114,

The motion prevailed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Drabelle, | Marshall,   | Smith,     |
| Clarke,   | Fields,   | Matthews,   | Stubbs,    |
| Collins,  | Haynes,   | Morton,     | Sullivan,  |
| Costello, | Heather,  | Ramp,       | Tandy,     |
| Davisson, | Jewell,   | Rollins,    | Thomas,    |
| Dowell,   | Lee,      | Schoenlaub, | Zevely—24. |

## NAYS—Senators,

|        |         |         |           |
|--------|---------|---------|-----------|
| Biggs, | Martin, | Walker, | Whaley—6. |
| Clay,  | Rubey,  |         |           |

## Absent with leave—Senators

Farris, Orchard—2.

## Sick—Senator Cooper—1.

Senator Zevely called up Senate bill No. 157.

House amendment No. 1, as follows:

House amendment No. 1 to Senate bill No. 157:

Amend Senate bill No. 157 by striking out in line 30 of said bill the figures "1899," and insert in lieu thereof the figures "1889,"

Was read and concurred in by the following vote:

## YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Dowell,  | Matthews,   | Sullivan,  |
| Bradley,  | Fields,  | Morton,     | Tandy,     |
| Clarke,   | Haynes,  | Ramp,       | Thomas,    |
| Clay,     | Heather, | Rubey,      | Walker,    |
| Collins,  | Jewell,  | Schoenlaub, | Whaley,    |
| Costello, | Lee,     | Smith,      | Zevely—27. |
| Davisson, | Martin,  | Stubbs,     |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Drabelle, | Marshall, | Orchard, | Rollins—5. |
| Farris,   |           |          |            |

## Sick—Senator Cooper—1.

Senate bill No. 157, as amended, entitled

An act entitled "An act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State seminary moneys,

Was placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Sullivan,  |
| Bradley,  | Fields,   | Morton,     | Tandy,     |
| Clay,     | Haynes,   | Rubey,      | Thomas,    |
| Collins,  | Jewell,   | Schoenlaub, | Walker,    |
| Costello, | Lee,      | Smith,      | Whaley,    |
| Davisson, | Marshall, | Stubbs,     | Zevely—24. |

## NAYS—None.

## Absent with leave—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Clarke,   | Farris,  | Matthews, | Ramp,      |
| Drabelle, | Heather, | Orchard,  | Rollins—8. |

## Sick—Senator Cooper—1.

Senator Zevely moved that the vote by which Senate bill No. 157, as amended, was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senator Collins introduced Senate bill No. 317, entitled

An act to amend section which is now numbered 8778, on page 2066, of article 1 of chapter 141, entitled "Penitentiary," by adding a provision thereto;

Read first time and 150 copies ordered printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

On motion of Senator Walker, the Senate took a recess until 2 p. m.

#### AFTERNOON SESSION.

The hour of recess having expired,

The President called the Senate to order.

The special order for 2 p. m. being the memorial service upon the death of the late Senator Thomas C. Martin of St. Louis, the President directed the Secretary to call the roll and upon the call of the deceased Senator's name Chaplain Boude arose and addressed the Senate.

Senator Rollins then addressed the Senate as follows:

The last word written at the close of the history of every man's life is "death." Like the cancelling across the page of a deed of trust, made payable in installments, so at the close of a career of kings, potentates and peasants alike, the angel of time, with pen dipped in the blood of the inhabitants of the ages, writes in scarlet red across every biography, "He is dead."

Varied as my life may be, filled with its heartaches and pains, disappointments, ambitions, success and failure, yet the whole story might be told simply in a sentence, "He was born, he lived, he died." However high may be the pedestal that marks the spot of our last abode; however great may have been our part in the drama of life, and however conspicuous our names may be on the pages of history and fame, no man can claim the advantage at the verge of the grave. When disease has wrecked the frame, when pulses beat weaker and heart throbs grow fainter, when eyesight's pallid glare reflects its stare from the boundless glassy sea beyond, then it is that the whole world meets in common on the same plane, and no man can say to another, "See there, I am better than thou."

Here it is that bickerings cease; strife, envyings and jealousies vanish; dogmas, differences and creeds fade away, and as the earth recedes, and the stormy avalanche and howling typhoons of the night of death approach, there once for all meet all the teeming nations around the same table to drink the same cup, and enter the same gateway to the boundless beyond.

Religion, science, history, stoicism and art, have all taken part in trying to ameliorate the awfulness of that hour. Art, with gilded paintings and flowery lawns, chirping birds and crimson clouds, has depicted a halo of glory over the dying monarch and saint; stoicism, with gritted teeth has mocked the tormentor and refused to see or think of the terrible surroundings.

History has recorded victorious death; told of marvelous achievements, of noble women and the lives of many sages, so that the death chamber has almost seemed a best climax.

Science, with its opiates and narcotics, administered with skilled hands, has nursed almost through the gates of the dark hour, its sufferers; and religion, compassing the filed of all has prescribed and taught complacency in life, submission in death, and even gone beyond and lifted the curtain through the impending storm; opened the gates ajar, so that through its portals gleaming we have caught a scent from the verdant fields and blooming trees of life, in "the sweet fields of Eden."

Yet, after all it is death, the dissolution of mind and matter, the returning of the form we have adored to the worms of the earth, and none of these things have taken away the awfulness of death.

What august reverence then ought we to pay to a comrade who has stood the test of the awful ordeal before us? With what tenderness should we approach the mention of his life and the emulation of his virtues. Let the sandals be taken from

our feet and the coverings from our heads as we this day mention the name of Thomas C. Martin, whose place in our midst covered with the emblems of death remind us that he has gone and that a service similar to this may be ours next.

Senator Thomas C. Martin, was born at Albany, New York, February 23, 1837, making him at the time of his death, February 8, 1901, sixty-four years old, lacking fifteen days. He was therefore born and lived through the zenith of the achievements of the century just closed, and on his first birthday in the twentieth century has escaped earth in time to celebrate his sixty-fifth birthday in the home of his eternal abode.

He lived at 2331 S. 12th Street, St. Louis, and was, during twenty-five years past an active worker in the Republican party. In his early life he was a Democrat, and was elected a member of the school board for St. Louis city in 1874, on the Democratic ticket. In 1888 he had become an active Republican, and was that year made treasurer of the Republican Central Committee of St. Louis, and for fifteen years thereafter he was an honorable member of that body. His devotion to his party may be appreciated when it is known that during his affliction several months prior to his death he was not out of his house only for the purpose of voting.

In 1887 he was elected from St. Louis city a member of the Thirty-fourth General Assembly of Missouri, and was thereafter re-elected twice; and served in all three terms in the legislature. After the death of John H. Amelung, in 1896, Thomas C. Martin was elected a member of the Senate to serve out the unexpired term of Amelung. In 1898 he was again elected for a term of four years.

The writer served with him in the Fortieth General Assembly, and at the convening of the Forty-First, anxiously looked for his genial face. But it had been decreed differently, as he was never able to so much as come to the capital during the present session.

In his life Senator Martin had, in addition to the offices mentioned, held other places of trust, having been deputy and sheriff, deputy marshal in St. Louis. He was at different times proprietor of a hotel, saloon and restaurant, and in every capacity it is only just to say that he made many friends and had many admirers.

His disposition of character was retiring, mild and inoffensive. He rarely ever appeared on either the floor of the House or Senate while a member of these bodies, but was always in his seat to cast his vote in accordance with his convictions. He was firm in his opinions and ever prompt to carry into execution what he conceived to be right.

In stature he was large, and of imposing appearance, and through life enjoyed good health; but in his last few years disease made inroads upon his stalwart form, and despite medical skill he became a chronic sufferer from asthma and dropsy. But, like the warrior at the gate, he guarded the citadel well; defended the approach of the enemy; fought every inch of the ground as inroads were made upon his life blood, and died only when crushed and overpowered by the battering rams of the foe unconquerable, and only then at the post of his duty, full in the harness and almost in view of the breaking dawn from the land of the silvery stars.

While not dying with achievements and luster to place his name in the annals of fame, yet his simple and modest exit from this world was in keeping with his life. He met the last enemy and fought his last battle bravely and single handed. Indeed, the ado and stir made in the chamber of a dying victor—it had none the advantage, for after all, it was nothing more—nothing less than death.

Wreath the coffin with lilies and flowers if you please, scent the air with the perfumes and fragrance of a thousand flowers; garland the body with bending honeysuckle heavy with the honey dews of a summer morning, plant the myrtle and the ivy to ever bloom around the grave; say eulogies, sing anthems and pronounce benedictions, and after all, it is death.

Death, the saddest word of all languages. No vocabulary or dictionary is without it. It was carved out of the transactions in the Garden of Eden, and has come down through the ages, visiting generation after generation. No part of the earth has been exempt. The bowels of the seas contain countless armies of the sleeping witnesses to the havoc it has wrought. Neither barbarism nor christendom have escaped. The savages of the South Seas; in India's coral, famine land; the Mongolian, African and Caucasian have had thrice, yea a hundred times, their entire populace stricken by its iron hand, and transferred to the teeming, countless caravan on the other side. None have escaped. All have died. What, then, shall I say to ameliorate the sadness of this hour? Words are but a mockery and language fails.

The only resource left on an occasion like this is not so much in retrospection as in the fruition of hope that some day; somehow, we shall meet again! That when the last sun is set, the last cloud is crimson from the last departing day, when the last star is fading and the last long midnight spent, there will come breaking into the soul the ethereal, eternal sun that never sets. Where the General Assembly shall not be broken, and never a chair hung with crepe to remind us of death again.

Senator Martin is no more. Peace be to his ashes. This meeting is simply to say "farewell." Closing, his name passes into the list of the departed. He was conscious that he was approaching death and doubtless considered its consequences. In the language of the immortal Blaine over the bier of the martyred Garfield, I would say: "Let us hope that the dying man had felt on his already wasted brow, the breath of the eternal morning."

JAS. M. ROLLINS.

February 28, 1901.

The following remarks were made by Senator Collins:

Mr. President:

I esteem it a sad but great honor to be allowed to contribute a word in commemoration of the virtues of our departed colleague. Born as I was, within the limits of the city of St. Louis, my acquaintance with Senator Martin dates back to the time he was an under-sheriff and I a youth just from school, was employed as a clerk in a lively stable, and as such, had occasion to visit his office quite frequently. This was nearly twenty years ago, and our relations from that day until my election to a seat in this honorable body have been of the very friendliest nature, and my only regret is that I did not have the pleasure to sit with him during this session of the Senate. And while we belonged to opposing political parties, and while we were both active and aggressive

in behalf of the interests of our respective parties, we have always continued our former pleasant relations. He had in the course of his political career granted me a few favors of a political character, for which I have always felt grateful, and while my opportunities to reciprocate were not great, I did have the satisfaction of granting him one favor while a member of the Board of Education that he never forgot and always appreciated.

Senator Martin, I understand, came to Missouri from New York when a young man and settled in St. Louis city, having received a common school education in the public schools of his native town. It is worthy of thought that after the passing of a noble, well-spent, active life in his community, he passed away from a post that he occupied in guarding the interests of the common people (whose representative he was in this honorable body), against oppressive and hostile legislation, which made him useful as a member of this body and as a citizen of the city of St. Louis.

Thomas C. Martin was a genial, warm-hearted, generous, charitable man, who was ever ready to enlist his best services in behalf of the needy and distressed, one whose unostentatious example in the practice of Christian virtues made him worthy of esteem, and his friends have lost in him a friend full of sympathy in their distress, of joy in their happiness, and of faithful devotion to their welfare in time of need. He was a man of very few words. Scarcely, if ever, taking any part in debates, but his friends always knew where he stood, and as his word was as good as most men's bond, he was never known to violate a promise. It was these inherent characteristics that made him the popular idol of his people. As he himself would put it, "they send me to Jefferson City to act, not to talk," and he acted his part in such a way that the interests of his constituents were carefully guarded, and had he lived, I have no doubt, but that he would have succeeded himself as a member of the Senate.

Now, when we come to consider the noble character of Senator Martin, we can but congratulate ourselves that the public has for its examples men with such sterling traits of character, such unflinching integrity, and such determined, unswerving devotion to duty.

And, now, Mr. President, in conclusion let me say, a broken column most fittingly represents the untimely death of our colleague in the midst of his labors, and we are here today to mourn for the departure of a friend, who, we shall not see again; but we have faith that we shall meet him a little way on in the future, and the eye that shone so brilliantly and the voice that addressed us so kindly and the hand that grasped us so cordially will again greet us on the other side.

Senator Collins was followed by Senators Clay, Haynes and Davisson.

The services were concluded with prayer by the Chaplain of the House of Representatives, Rev. Mr. Hill.

Senator Fields moved that out of respect to the memory of the deceased Senator, the Senate adjourn under the rules.

The motion prevailed.

Senate adjourned until 10 a. m. tomorrow.

#### FORTY-THIRD DAY—Friday, March 1, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Clarke presented a petition from the citizens of his district, asking for the passage of Senate bill No. 236 and House bill No. 504, relating to the dairy business;

Read and referred to the Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senator Rubey presented a petition from citizens of the State of Missouri, asking for the passage of a bill creating a chair of music at the State university;

Read and referred to the Committee on University, Normal Schools, Agricultural College and School of Mines.

Senator Martin presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read, and referred to Committee on Criminal Jurisprudence.

Senator Dowell offered the following resolution:

Resolved, That the Committee on Accounts be authorized to audit and allow the accounts for expenses incurred by inaugural ceremonies;

Which was read and adopted.

The following communication was received from the Attorney General, and read:

Legal Department, State of Missouri, {  
City of Jefferson, February 28, 1901. }

Hon. John A. Lee, Lieutenant-Governor, Jefferson City, Mo.:

Dear Sir—I have your request for an opinion regarding your right, as presiding officer of the Senate, to cast a deciding vote when that body is equally divided on any question that may come before it.

I have examined the Constitution of our State upon the subject, as well as the Constitutions of our various sister states, and after making proper comparison thereof, have arrived at the conclusion that you are entitled to a casting vote when the Senate is a tie upon any question properly before it, whether upon final passage of a bill or otherwise.

The foregoing position is supported by the best authority obtainable on the subject.

Yours truly,  
EDWARD C. CROW, Attorney-General.

Senator Lee offered the following resolution:

Resolved, That the Committee on Accounts be instructed to pay to the widow of Hon. Thomas C. Martin, deceased, his salary to the end of the session;

Which was read and adopted.

Senator Lee introduced Senate bill No. 318, entitled

An act to divide the State into sixteen congressional districts;

Read first time and 150 copies ordered printed.

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate joint and concurrent resolution No. 1, entitled

Submitting to the qualified voters of the State an amendment to the Constitution repealing sections 22 and 23 of article 10;

Also, House bill No. 417, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary, educational institutions and members of police and election boards from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal, with title amended, by adding at the close thereof the following words: "and for penalties for violations of this act, with an emergency clause;"

In which the concurrence of the Senate is respectfully requested.

Mr. President: I am instructed by the House of Representatives to inform the Senate that they have refused to recede from their amendments to committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114;

Which were read.

Senator Martin moved that a conference committee be appointed to consider committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, and that the House of Representatives be requested to appoint a like committee.

The motion prevailed.

Senator Clay introduced Senate bill No. 319, entitled

An act to amend section 4944 of chapter 75 of article 2 of the Revised Statutes of Missouri, 1899, relating to prosecuting attorneys and their assistants;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 320, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Read first time and 150 copies ordered printed.

Senator Whaley, from the Committee on Criminal Jurisprudence, submitted the following report:

[Report not found.]

Which was read.

Senator Whaley presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Haynes, from the Committee on Judiciary, submitted the five following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 78, entitled

An act to amend chapter 51, Revised Statutes of Missouri, 1899, entitled "Married women," by adding a new section thereto, to be known as section 4341a, and relating to the non-liability of husband for wife's torts,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 251, entitled

An act to amend section 4315, chapter 50 of the Revised Statutes, relating to marriages,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 303, entitled

An act to repeal sections 4231 and 4232 of article 2, chapter 47, Revised Statutes of Missouri, 1899, entitled "Liens for keeping horses and other animals," and to enact two new sections in lieu thereof, to be known as sections 4231 and 4232, and relating to the lien on offspring of animals,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 59, entitled

An act to amend chapter 10, Revised Statutes of Missouri, 1899, entitled "Contracts and promises," by adding a new section thereto, to be known as section 899a, and relating to real estate agents, their dual agency prohibited and providing for a recovery in certain cases,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have or that may hereafter have three hundred

thousand inhabitants or more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office.

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendments;

Which were read.

Amendment No. 1 to Senate bill No. 223:

Amend Senate bill No. 223 by striking out all of section 1 thereof;

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 223:

Amend Senate bill No. 223 by striking out the words "a first assistant and," in line 2 of said section; also by striking out the final letter "s," in the word "appointments," in line 3 of said section; also by striking out the words "the assistants," in line 6 of said section, and inserting in lieu thereof the words "said second;"

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 223:

Amend Senate bill No. 223, section 4, by inserting between the words "the" and "assistant," in line 1 of said section, the word "second;" also by striking out the final letter "s" in the word "attorneys," in said first line of said section;

Read first and second times and agreed to.

Amendment No. 4 to Senate bill No. 223:

Amend Senate bill No. 223, section 5, by inserting between the words "the" and "assistant," in line 1 of said section, the word "second;" also by striking out the final letter "s" in the word "attorneys," in said first line of said section;

Read first and second times and agreed to.

Amendment No. 5 to Senate bill No. 223:

Amend Senate bill No. 223, section 6, by striking out the word "first," in line 1 of said section, and inserting in lieu thereof the word "second;" also by striking out the word "twenty-five," in line 2 of said section, and inserting in lieu thereof the word "twenty-four;" also by striking out in lines 3 and 4 of said section the words "the second assistant shall receive a salary of twenty-four hundred dollars a year;"

Read first and second times and agreed to.

Amendment No. 6 to Senate bill No. 223:

Amend Senate bill No. 223 by changing the sections 2, 3, 4, 5, 6, 7, 8, 9 and 10, so that the same shall read sections 1, 2, 3, 4, 5, 6, 7, 8 and 9;

Read first and second times and agreed to.

Amendment No. 1 to title of Senate bill No. 223:

Amend title of Senate bill No. 223 by striking out all after the word "more," in line four of said title up to and including the word "exists," in line five thereof; also by striking out the words "two assistants," in line 6 of said title, and inserting in lieu thereof the words "a second assistant;" also by striking out the final "s" in the word "assistants," in line 8 of said title;

Read first and second times and agreed to.

Senator Haynes, from the Committee on Judiciary, submitted the five following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 283, entitled

An act to repeal sections 6539, 6540, 6541, 6544 and 6554, article 23, chapter 91 of the Revised Statutes of the State of Missouri, 1899, relating to juries in cities of over one hundred thousand inhabitants, and to enact new sections in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 156, entitled

An act relating to the bringing of suits for the publication of libel in newspapers,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 292, entitled

An act to amend chapter 20, Revised Statutes of the State of Missouri, 1899, entitled "Divorce, alimony and custody of children," by adding two new sections thereto, to be known as sections 2932a and 2932b,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 154, entitled

An act to amend section 4358 of chapter 52, Revised Statutes of Missouri of 1899 of the mortgages and deeds of trust law, entitled "Acknowledgment of satisfaction and release, how made,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 66, entitled

An act to repeal section 822 of article 2, chapter 8 of the Revised Statutes of Missouri, 1899, relating to change of venue, and to enact in lieu thereof a new section, to be known as section 822,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Matthews moved that Senate bill No. 66 be indefinitely postponed.

The motion prevailed.

Senator Fields, from the Committee on Fire, Marine and Tornado Insurance, submitted the following report:

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 215, entitled

An act to amend section 7945, article VI, chapter 119, Revised Statutes of Missouri, 1899, entitled "Insurance,"

Begs leave to report that it has examined the same and recommends that the accompanying substitute do pass:

Which was read.

Committee substitute for Senate bill No. 215, entitled

An act to repeal section 7945, article VI, chapter 119, Revised Statutes of Missouri, 1899, entitled "Insurance other than life," and enact a new section in lieu thereof;

Read first and second times and agreed to.

Senator Biggs, from the Committee on Retrenchment and Reform, Fees, Salaries and Criminal Costs, submitted the following report:

Mr. President: Your Committee on Retrenchment and Reform, etc., to which was referred Senate bill No. 267, entitled

An act to amend section 7746, article 4, chapter 118 of the Revised Statutes of Missouri for the year 1899, entitled "Salaries,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

Senator Rubey, from the Committee on Appropriations, submitted the four following reports:

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 131, entitled

An act entitled "An act for the relief of B. F. Elder and Albert Stone for the apprehension of Ben Richardson, charged with murder,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 113, entitled

An act to provide for the reimbursement of Andrew county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 34, entitled

An act to provide for the reimbursement of Salt Pond township, Saline county, Missouri, out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said township,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Appropriations, to which was referred Senate bill No. 115, entitled

An act to amend article 7, chapter 154 of Revised Statutes of the State of Missouri of 1899, entitled "Schools," by adding new sections 9982a, 9982b, 9982c, 9982d,

Begs leave to report that it has examined the same and recommends that it do not pass for the reason that the State revenues will not admit of the expenditure of money necessary to carry out its purposes;

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 130, entitled

An act to repeal section 2997 of article 1, chapter 22 of the Revised Statutes of Missouri of 1899, entitled "Dramshops," and by enacting a new section in lieu thereof, to be known as section 2997,

Begs leave to report that it has compared the same and finds it to be truly engrossed; and that the printed copies thereof furnished to the Senators are correct;

Which was read.

The President announced the reception from the House of Representatives enrolled House bill No. 181, entitled

An act to amend section fifty-eight hundred and thirty-six (5836), article four (4), chapter ninety-one (91) of the Revised Statutes of Missouri, 1899;

Which was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives and signed by the Speaker.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 1, 1901.

To the President of the Senate:

I have the honor herewith to return to the Senate, with my approval indorsed thereon, the following bills:

Senate bill No. 109, entitled "An act to create the office of Pardon Attorney; to provide for his appointment, tenure of office, removal therefrom and for filling vacancy; defining his duties and fixing his compensation."

Senate bill No. 142, entitled "An act to amend section 1957, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, entitled 'Offenses against public and private property.'"

Senate bill No. 162, entitled "An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled 'Public schools,' by striking out of line seven the words 'of fifteen hundred,' and inserting in lieu thereof the words 'not to exceed two thousand.'"

Respectfully,

A. M. DOCKERY, Governor.  
March 1, 1901.

Which was read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 226, entitled

An act to authorize and provide for the erection of a monument at the grave of Governor Robert M. Stewart,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Haynes moved that the rules be suspended and that Senate bill No. 226 be taken up.

The motion prevailed.

Senate bill No. 226 was taken up.

Senator Haynes moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 226, entitled

An act to authorize and provide for the erection of a monument at the grave of Governor Robert M. Stewart,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Bradley,  
Clarke,  
Clay,  
Costello,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Haynes,  
Jewell,  
Martin,

Ramp,  
Rollins,  
Rube,  
Smith,  
Sullivan,

Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—21.

NAYS—None.

## Absent with leave—Senators

Biggs,  
Collins,  
Davisson,Heather,  
Lee,  
Marshall,Matthews,  
Morton,  
Orchard,Schoenlaub,  
Stubbs—11.

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Haynes moved that the vote by which the bill was passed be reconsidered.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

Leave of absence was granted to Senator Stubbs.

Senate bill No. 295, entitled

An act to amend article 15, chapter 16, by adding five new sections thereto,

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs.

Senate bill No. 296, entitled

An act to amend section 5060, chapter 80 of the Revised Statutes of Missouri for 1899, entitled "Boards of charities,"

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 297, entitled

An act to fix the compensation of the prosecuting attorneys of the various counties in the State, and to amend section 4949 of the Revised Statutes of Missouri, 1899,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 298, entitled

An act to appropriate money out of the State treasury to assist in prosecuting the drainage canal suit,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 299, entitled

An act creating a commission to revise chapter 149, Revised Statutes of 1899, entitled "The assessment and collection of the revenue," authorizing said commission to propose changes in the present revenue law and additional revenue measures, and requiring it to report the results of its labors to the 42nd General Assembly,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 300, entitled

An act to amend section 7732, chapter 118, article 3 of the Revised Statutes of the State of Missouri, 1899, relating to institutions—eleemosynary,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 301, entitled

An act to define and protect undertakers in the funds due to estates and to beneficiaries from insurance companies, benevolent and fraternal associations in defraying the expenses of deceased persons when insured in such companies or associations, and to repeal all acts, statutes or parts thereof in conflict herewith,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 302, entitled

An act to repeal section 3871 of article 3, entitled "Commencement of suits, service of process, etc.," of chapter 43 of the Revised Statutes of 1899, and enact a new section in lieu thereof, to be known as section 3871, on the same subject,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate joint and concurrent resolution No. 14, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning State Senators and the formation of senatorial districts in counties which are entitled to more than one Senator,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

On motion of Senator Rollins, the rules were suspended, and Senate bill No. 309, entitled

An act requiring the issuance of transfers to passengers riding on street cars in this State, and providing a penalty for the violating of the provisions hereof,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 306, entitled

An act to provide for the payment of quarantine and pest camp expenses in cases of epidemics,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senator Drabelle moved that the rules be suspended and that Senate bill No. 223 be taken up.

The motion prevailed.

Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have or that may hereafter have three hundred thousand inhabitants or more, abolishing the office of assistant circuit attorney, as it now exists, and providing for the appointment by the circuit attorney of two assistants and a stenographer, fixing the compensation of such circuit attorney, assistants and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office,

Was, on motion of Senator Drabelle, ordered engrossed and printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause,

Begs leave to report that it has compared the same, and finds it

to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Bradley moved that the rules be suspended, and that Senate bill No. 84 be taken up.

The motion prevailed.

Senator Bradley moved that the vote by which Senate bill No. 84 was ordered engrossed and printed be reconsidered.

The motion prevailed.

Senator Bradley offered the following amendments to Senate bill No. 84:

Amendment No. 2 to Senate bill No. 84:

Amend Senate bill No. 84 by inserting the word "repairing," between the words "macadamizing" and the word "and," in the 30th line of said bill;

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 84:

Amend Senate bill No. 84 by striking out from lines 135 to 137 all words between the word "contract," in line 135, and the word "where," in line 137, and substituting the following words: "For said work to be let to the lowest and best bidder, on plans and specifications filed therefor with the city clerk by the city engineer, or other proper officer, not less than one week's advertisement for bids thereon being made in some newspaper published in the city;"

Read first and second times and agreed to.

Amendment No. 4 to Senate bill No. 84:

Amend Senate bill No. 84 by striking out all the words between the word "bids," in line 139 of said bill, and the word "when," in line 146 of said bill;

Read first and second times and agreed to.

Amendment No. 5 to Senate bill No. 84:

Amend Senate bill No. 84 by striking out all the words between the word "that," in line 147 of said bill, and the words "a majority," in line 148 of said bill;

Read first and second times and agreed to.

Amendment No. 6 to Senate bill No. 84:

Amend Senate bill No. 84 by striking out all the words between the word "that," in line 155 of said bill, and the words "a protest," in line 156 of said bill;

Read first and second times and agreed to.

Amendment No. 7 to Senate bill No. 84:

Amend Senate bill No. 84 by striking out all the words between the word "thereof," in line 163 of said bill, and the word "and," in line 164 of said bill;

Read first and second times and agreed to.

On motion of Senator Bradley, Senate bill No. 84, as amended, entitled

An act to repeal section 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1890, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause,

Was ordered engrossed and printed.

House bill No. 191, entitled

An act requiring telegraph companies to transmit with all mes-

sages the exact time of the filing thereof, and providing penalties for violation of such requirement,

Was taken up and read first time.

House bill No. 338, entitled

An act to repeal section 1793 of article 5, chapter 14, Revised Statutes of Missouri for 1899, and enact a new section in lieu thereof, to be known as section 1793, relating to the duty of county courts to cause certain prisoners to be worked,

Was taken up and read first time.

House bill No. 353, entitled

An act to amend section 834, chapter 8 of article 11 of the Revised Statutes of Missouri, relating to changes of venue, and pay of judge trying cause,

Was taken up and read first time.

House committee substitute for House bill No. 67, entitled

An act to amend section six thousand five hundred and sixty-six (6566) of article twenty-three (23), chapter ninety-one (91), Revised Statutes of Missouri, 1899, relating to juries in cities with over one hundred thousand inhabitants,

Was taken up and read first time.

House committee substitute for House bill No. 158, entitled

An act repealing sections 5537, 5538 and 5548 of the Revised Statutes of Missouri, 1899, relating to the city officers in cities of the second class, and enacting new sections in lieu thereof,

Was taken up and read first time.

House committee substitute for House bill No. 160, entitled

An act creating a board of public works in cities of 100,000 and less than 150,000 inhabitants prescribing its powers and duties and repealing all acts or parts of acts inconsistent therewith,

Was taken up and read first time.

House committee substitute for House bill No. 163, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539, and enacting in lieu thereof new sections, to be known as 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539.

Was taken up and read first time.

House committee substitute for House bills Nos. 254 and 258, entitled

An act to repeal sections 5898 and 5907 of article 5, chapter 91 of the Revised Statutes of Missouri of 1899, with an emergency clause,

Was taken up and read first time.

Committee substitute for House joint and concurrent resolution No. 7, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning revenue and taxation,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

House bill No. 561, entitled

An act to redistrict the State into judicial circuits, and to fix the terms of courts therein,

Was taken up, read second time, and referred to Committee on Appropriations.

The President called President Pro tem. Farris to the chair.

Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2 of chapter 133 of the Revised Statutes of Missouri, 1899, entitled "Safety and inspection of mines," and enact two new sections in lieu thereof,

Was read third time, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Sullivan,  |
| Bradley,  | Farris,   | Matthews,   | Tandy,     |
| Clarke,   | Fields,   | Ramp,       | Thomas,    |
| Clay,     | Haynes,   | Rollins,    | Walker,    |
| Costello, | Heather,  | Rubey,      | Whaley,    |
| Davisson, | Jewell,   | Schoenlaub, | Zevely—27. |
| Dowell,   | Lee,      | Smith,      |            |

NAYS—None.

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Collins,  | Morton, | Orchard, | Stubbs—5. |
| Marshall, |         |          |           |

Sick—Senator Cooper—1.

Title to the bill was read.

Senator Clay offered the following amendment to the title:

Amendment No. 1 to title of Senate bill No. 143:

Amend the title to Senate bill No. 143 by striking out the word "two," in said title, and inserting the word "three" in lieu thereof;

Read first and second times and agreed to.

The title to the bill, as amended, was agreed to.

Senator Clay moved that the vote by which the bill passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

The five following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House.

House bill No. 342, entitled

An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class with an emergency clause;

Also, House bill No. 317, entitled

An act to amend section 10042 of chapter 158, Revised Statutes of Missouri, 1899, entitled "Sheriffs and their deputies;"

Also, House bill No. 245, entitled

An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to the capital stock of railroad corporations, with title amended by striking out the words "the capital stock of;"

Also, House bill No. 456, entitled

An act to amend section 8197, article 3, chapter 122, Revised Statutes, 1899, entitled "Swamp and overflowed lands," by adding a proviso to said section, the purpose of which is to quiet swamp land titles;

Also, House bill No. 242, entitled

An act to amend section 2867 of chapter 17 of the Revised Statutes of Missouri of 1899, entitled "Damages and contributions in actions of torts;"

In which the concurrence of the Senate is respectfully requested.  
Which were read.

Senate bill No. 151, entitled

An act respecting the identification of criminals.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Farris,  | Marshall, | Smith,     |
| Bradley,  | Fields,  | Martin,   | Sullivan,  |
| Clay,     | Haynes,  | Matthews, | Thomas,    |
| Costello, | Heather, | Ramp,     | Walker,    |
| Davisson, | Jewell,  | Rollins,  | Whaley,    |
| Dowell,   | Lee,     | Rubey,    | Zevely—25. |
| Drabelle, |          |           |            |

NAY—Senator Tandy—1.

Sick—Senator Cooper—1.

Absent with leave—Senators

|          |          |             |           |
|----------|----------|-------------|-----------|
| Clarke,  | Morton,  | Schoenlaub, | Stubbs—6. |
| Collins, | Orchard, |             |           |

Title to the bill was read and agreed to.

Senator Smith moved to reconsider the vote by which Senate bill No. 151 passed.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 197, entitled

An act to amend article 1, chapter 149, Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenues," and providing for the taxation of mortgages and deeds of trust,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Marshall, | Sullivan,  |
| Bradley,  | Farris,   | Martin,   | Tandy,     |
| Clay,     | Fields,   | Matthews, | Thomas,    |
| Costello, | Haynes,   | Rollins,  | Walker,    |
| Davisson, | Heather,  | Rubey,    | Whaley,    |
| Dowell,   | Lee,      | Smith,    | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|          |         |          |             |
|----------|---------|----------|-------------|
| Clarke,  | Jewell, | Orchard, | Schoenlaub, |
| Collins, | Morton, | Ramp,    | Stubbs—8.   |

Sick—Senator Cooper—1

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Fields,   | Martin,   | Sullivan,  |
| Bradley,  | Haynes,   | Matthews, | Tandy,     |
| Clay,     | Heather,  | Ramp,     | Thomas,    |
| Costello, | Jewell,   | Rollins,  | Walker,    |
| Davisson, | Lee,      | Rubey,    | Whaley,    |
| Dowell,   | Marshall, | Smith,    | Zevely—25. |
| Farris,   |           |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Clarke,  | Drabelle, | Orchard,    | Stubbs—7. |
| Collins, | Morton,   | Schoenlaub, |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill and emergency clause passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 198, entitled

An act to amend section 9121 of article 1 of chapter 149 of the Revised Statutes of 1899, entitled "Taxation and equalization, and the assessment and collection of the revenue,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Farris,  | Martin,   | Tandy,     |
| Bradley,  | Fields,  | Matthews, | Thomas,    |
| Costello, | Haynes,  | Ramp,     | Walker,    |
| Davison,  | Heather, | Rubey,    | Whaley,    |
| Dowell,   | Jewell,  | Smith,    | Zevely—23. |
| Drabelle, | Lee,     | Sullivan, |            |

NAYS—None.

Absent with leave—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Marshall, | Orchard, | Schoenlaub, |
| Clay,    | Morton,   | Rollins, | Stubbs—9.   |
| Collins, |           |          |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 199, entitled

An act to amend section 9151 of article 2 of chapter 149 of the Revised Statutes of 1899, entitled "Assessors and the assessment of property,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Farris,  | Marshall, | Sullivan,  |
| Bradley,  | Fields,  | Martin,   | Tandy,     |
| Clay,     | Haynes,  | Matthews, | Thomas,    |
| Costello, | Heather, | Ramp,     | Walker,    |
| Davison,  | Jewell,  | Rubey,    | Whaley,    |
| Dowell,   | Lee,     | Smith,    | Zevely—24. |

NAY—Senator Rollins—1.

Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Clarke,  | Drabelle, | Orchard,    | Stubbs—7. |
| Collins, | Morton,   | Schoenlaub, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Martin moved that the vote by which Senate bill No. 199 was passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

The following message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 1, 1901, }

To the President of the Senate:

I have the honor herewith to return to the Senate, with my approval indorsed thereon, the following bills:

Senate bill No. 92, entitled "An act to amend article 7 of chapter 102 of the Revised Statutes of the State of Missouri, 1899, entitled 'Election,' and relating to registration in cities having a population of 25,000 inhabitants and less than 100,000 inhabitants, by adding a new section thereto, to be known as section 7205a."

Senate bill No. 8, entitled "An act to amend section 9260 of the Revised Statutes of 1899 of the revenue law, entitled 'Collectors' commissions,' "

Respectfully,  
A. M. DOCKERY, Governor.

Which was read.

Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Lee,      | Sullivan,  |
| Bradley,  | Farris,   | Matthews, | Tandy,     |
| Clay,     | Fields,   | Ramp,     | Thomas,    |
| Costello, | Haynes,   | Rollins,  | Walker,    |
| Davisson, | Heather,  | Rubey,    | Whaley,    |
| Dowell,   | Jewell,   | Smith,    | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Marshall, | Morton,  | Schoenlaub, |
| Collins, | Martin,   | Orchard, | Stubbs—8.   |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Bradley,  | Fields,   | Matthews, | Sullivan,  |
| Clay,     | Haynes,   | Ramp,     | Tandy,     |
| Costello, | Heather,  | Rollins,  | Thomas,    |
| Davisson, | Jewell,   | Rubey,    | Walker,    |
| Dowell,   | Lee,      | Smith,    | Whaley,    |
| Drabelle, | Marshall, | Stubbs,   | Zevely—26. |
| Farris,   | Martin,   |           |            |

NAYS—None.

Absent with leave—Senators

|         |          |          |               |
|---------|----------|----------|---------------|
| Biggs,  | Collins, | Orchard, | Schoenlaub—6. |
| Clarke, | Morton,  |          |               |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Tandy moved that the voted by which Senate bill No. 237, together with the emergency clause, was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 245 was taken up and laid over informally.

Senate bill No. 256 was taken up and laid over informally.

Senator Smith called up Senate bill No. 260 and offered the following amendment:

Amendment No. 1 to Senate bill No. 260:

Amend Senate bill No. 260 by striking out the words "or be present as a spectator," after the word "to," in line 8 of printed bill; so that said bill, when amended, shall read as follows:

Section 1. A new section is hereby added to article 8, of chapter 15, of Revised Statutes of Missouri, 1899, which shall read as follows:

Section 2298a. Any person who shall keep or use any bull, bear, dog, cock, rabbit or other animal or fowl for the purpose of fighting, baiting, coursing, or as a target or to be shot at, either as an amusement or as test of skill in marksmanship, and any person who shall be a party to, at any such fighting, baiting, coursing or shooting of any bear, dog, rabbit or cock, or other animal or fowl or bird; and any person who shall rent any building, shed, room, yard, ground or premises for the purpose of fighting, baiting, coursing or shooting any animal, fowl or bird as aforesaid, or shall suffer or permit the use of any building, shed, room, yard, ground or premises belonging to him or under his control for either or any of the purposes aforesaid shall, on conviction thereof, be adjudged guilty of a misdemeanor.

Sec. 2. A new section is hereby added to article 8, of chapter 15, of Revised Statutes of Missouri, 1899, which shall read as follows:

Sec. 2298b. Persons found violating any of the provisions of the preceding section may be arrested and held without warrant in like manner as in the case of persons found breaking the peace.

The bill, as amended, was laid over informally.

Senator Haynes introduced Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to charity boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines thereof, and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause;

Read first time and 150 copies ordered printed.

Senator Haynes introduced Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to charity boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause;

Read first time and 150 copies ordered printed.

Senate bill No. 203, entitled

An act to repeal section 10429 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and to enact a new section in lieu hereof,

Was ordered engrossed and printed.

Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Revised Statutes of the State of Missouri, 1899, entitled "Destruction of certain papers after five years,"

Was ordered engrossed and printed.

Senate bill No. 88, entitled

An act to amend article 1, chapter 22, section 3018 of the Revised Statutes of 1899, relating to dramshops,

Was taken up, and Senator Walker offered the following amendments:

Amendment No. 1 to Senate bill No. 88:

Amend Senate bill No. 88 by striking out the words "no dramshop keeper shall have electric wire, signal or tubes connection, or other device, by which communication with others outside of his dramshop proper may be had," from lines 52 and 55 of section 3018;

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 88:

Amend Senate bill No. 88 by adding the words "and thirty minutes in the morning" after "o'clock," in line 62 of said bill, and striking out the word "midnight," in lines 62 and 63 of said bill;

Read first and second times and agreed to.

On motion of Senator Walker, the bill, as amended, was ordered engrossed and printed.

Senate bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner,

Was ordered engrossed and printed.

Senate bill No. 93, was laid over informally.

Senate bill No. 100 was laid over informally.

Senate bill No. 135 was, on motion of Senator Whaley, indefinitely postponed.

Senate bill No. 201 was, on motion of Senator Whaley, indefinitely postponed.

Senate bills Nos. 208 and 238 were laid over informally.

Senate bill No. 257, entitled

An act to amend section 5187, chapter 84 of the Revised Statutes of 1899, relating to bridges,

Was ordered engrossed and printed.

Senate bill No. 261, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause,

Was ordered engrossed and printed.

Senate bill No. 268 was laid over informally.

Senate bill No. 269 was laid over informally.

Senate bill No. 274, entitled

An act to regulate the sale of cocaine and of preparations containing cocaine,

Was ordered engrossed and printed.

Senate bill No. 282, was laid over informally.

Senate bill No. 290, entitled.

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right-of-way for railroad purposes over the land belonging to the State of Missouri for the use of said asylum,

Was ordered engrossed and printed.

Senate joint and concurrent resolution No. 12, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation,

Was ordered engrossed and printed.

Senate joint and concurrent resolution No. 8, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri,

Was ordered engrossed and printed.

Senate joint and concurrent resolution No. 9, entitled

Joint and concurrent resolution submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article IX, and enacting a new section in lieu thereof,

Was ordered engrossed and printed.

Senate joint and concurrent resolution No. 10, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri,

Was ordered engrossed and printed.

Senator Jewell called up Senate bill No. 48, entitled

An act providing for the time when a vote of the people of this State shall be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State, providing for the place of meeting of convention, eligibility of members thereof, and form of ballot;

Which had a substitute pending; said substitute was read first and second times and agreed to.

The bill, as amended by said substitute, was ordered engrossed and printed.

The President of the Senate appointed the following committee in accordance with motion made by Senator Martin, and adopted by the Senate:

February 28, 1901.

To the Senate:

In accord with resolution today adopted, I hereby appoint the following Committee on Conference as to the committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114: Senators Martin, of Saline; Morton, of Ray; Clarke, of Jackson.

JOHN A. LEE,  
President of the Senate.

Which was read.

Senator Walker called up House bill No. 149, and moved that the bill be read a third time and put upon its passage.

The motion prevailed.

House bill No. 149, entitled

An act to amend section 1584 of article 1, chapter 14, Revised Statutes of Missouri, 1899, entitled "Courts of record," and relating to the general powers and duties of such courts,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |         |           |            |
|-----------|---------|-----------|------------|
| Biggs,    | Farris, | Martin,   | Sullivan,  |
| Clay,     | Fields, | Matthews, | Tandy,     |
| Costello, | Haynes, | Rollins,  | Walker,    |
| Dowell,   | Jewell, | Rubey,    | Whaley—19. |
| Drabelle, | Lee,    | Smith,    |            |

NAY—Senator Davisson—1.

Absent with leave—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Bradley, | Heather,  | Orchard,    | Stubbs,    |
| Clarke,  | Marshall, | Ramp,       | Thomas,    |
| Collins, | Morton,   | Schoenlaub, | Zevely—12. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which House bill No. 149 was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Haynes, the Senate adjourned until 3 p. m., Monday, March 4, 1901.

FORTY-FOURTH DAY—Monday, March 4, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

A communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

[See Appendix.]

Senator Bradley presented a petition from citizens of his district asking for the passage of Senate bill No. 236 and House bill No. 504, relating to the dairy business;

Read and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senator Bradley presented a petition from the citizens of his district, asking for the passage of an eight hour a day law;

Read, and referred to Committee on Labor, Mines and Manufactories.

Senator Fields presented a petition from citizens of his district, asking for the passage of House bills Nos. 173 and 13, making eight hours a day's work;

Read and referred to Committee on Labor, Mines and Manufactories.

Senator Farris presented four petitions from citizens of different parts of his district, asking for the passage of more stringent laws prohibiting the adulteration of food;

Read and referred to Committee on Criminal Jurisprudence.

Senators Lee and Ramp presented remonstrances from the citizens of their respective districts protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

Senator Ramp presented a petition from citizens of Dade county, asking for the passage of Senate bill No. 110 and House bill No. 88, relating to the adulteration of food;

Read and referred to Committee on Criminal Jurisprudence.

Senator Martin presented a remonstrance from citizens of Saline county protesting against the passage of House bill No. 137;

Read and referred to Committee on Eleemosynary Institutions and Public Health.

Senator Martin presented a petition from the citizens of his district, asking for the passage of a bill creating the office of dairy commissioner;

Read and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senator Martin presented a petition, signed by the teachers of the public school of Everton, Mo., asking for the passage of an anti-cigarette law;

Read and referred to Committee on Criminal Jurisprudence.

Senator Tandy was granted leave of absence on account of sickness.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

To the Senate:

I respectfully invite your attention to the propriety of revising the chapter of our laws relating to the assessment and collection of revenue to maintain the State government and its various institutions.

The laws relating to assessment and taxation seem to be, in many respects, incongruous, unequal and defective.

Taxation, as required by the Constitution, should be levied upon all property in proportion to its value.

It is a matter of some doubt whether under the existing revenue system this mandate of the Constitution is fully met.

It is urged by many that the agricultural wealth of our State bears an undue proportion of the expenses of government, and that corporations do not pay their just proportion. I do not care, however, to enter upon a discussion of this question at this time.

It is obvious that the State requires a larger annual income to properly meet the demands upon it for the maintenance of our educational, eleemosynary, reformatory and penal institutions.

I am advised that the contemplated appropriations for the biennial period upon which we are just entering will exceed by more than \$200,000.00 our estimated revenue.

It may be that the unpleasant duty will devolve upon me to disapprove some of the items of appropriation in order to bring our expenditures within the estimated income.

It seems to be necessary, therefore, in some practical way, to secure additional revenue, without increasing the taxes on the farmers, laborers, and other great producing classes.

I believe that it is practicable to devise a system of taxation that will equalize its burdens and give us the needed revenue, without adding burdens to either of the classes to which I have adverted—indeed, I am sure they can be lessened.

The General Assembly is now considering bills imposing franchise taxes upon public service corporations. I have no means of knowing what additional revenue will come to our treasury by reason of the operation of a just and effective franchise law. I am apprehensive, however, that the income will not be as great as some have anticipated, inasmuch as I have recently been assured by every member of the last State Board of Equalization that, while differing somewhat as to the amount of the franchise value, they have in fact considered the valuation of franchises of public corporations in making assessments.

However this may be, I am sure that the General Assembly will before its adjournment, place upon the statute books a comprehensive franchise measure which will enable the State Board of Equalization to do directly, what, in a measure at least, has heretofore been done indirectly by former Boards of Equalization.

I most earnestly hope that a franchise law will bring us the much needed revenue, but as heretofore stated, I have no information to enable me to estimate the revenue that will be derived from a franchise law.

In connection with the suggestion that provision be made for a revision of our revenue laws, I desire also to invite attention to some facts taken from a recent letter of the Attorney-General of the state of New York to Attorney-General Crow of our own State. From that communication it appears that the state of New York, in 1896, enacted a law providing for the taxation of the capital stock, premiums, earnings, etc., of certain public service corporations.

During the last fiscal year that state collected under this law \$2,162,434.31 from insurance, transportation, telegraph, telephone, gas, electric light, water and power, and miscellaneous companies, and from license fees on foreign corporations, and deposits of foreign banks.

These sources of income are in the nature of corporation taxes, and should not be confounded with what is known as the Ford-Roosevelt franchise law, enacted in 1899, levying taxes upon the franchises of public corporations, similar to the bills now pending before your body. The state of New York has as yet derived no revenue from the Ford-Roosevelt franchise law, as substantially all of the corporations affected are contesting its constitutionality.

In view, therefore, of the necessity for additional income to care for our educational institutions, the poor, the blind, the deaf, the feeble-minded, the insane and other unfortunate classes of our people, I have to suggest the authorization of a Commission of three persons of whom the Attorney-General shall be one, to begin their sittings say, six months prior to the next meeting of the General Assembly, so that a just and comprehensive system of assessment and taxation may be reported for the consideration of that body.

Any scheme of taxation that may be devised should be upon the basis of absolute equality to all interests, and in harmony with that fundamental doctrine requiring taxation to be levied according to the measure of prosperity the Lord has accorded us.

A. M. DOCKERY.

Governor's office, City of Jefferson, March 4th, 1901.

Which was read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the seven following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 46, entitled

An act to create the office of license collector, provide for the election of license collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more, and to provide for the payment of the salaries and expenses of said office of license collector;

Also, Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words;

Also, Senate bill No. 229, entitled

An act to provide against the use of poisonous or other deleterious ingredients in the manufacture of candy, and to regulate the manufacture and sale of adulterated candies, and to repeal section 2279 of the Revised Statutes of 1899, and an act amendatory thereof, approved March 20, 1897;

. Also, Senate bill No. 263, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of

Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto, and by repealing section 2298 of said article;

Also, Senate bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections;

Also, Senate bill No. 262, entitled

An act to amend article 8 of chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto;

Also, Senate bill No. 265, entitled

An act authorizing each one of the judges of the Supreme Court and of the St. Louis and Kansas City Courts of Appeal to appoint a clerk,

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

The following message was received from the Governor, through his Private Secretary, Mr. Crenshaw:

[See Appendix.]

Senator Tandy, from the Committee on Engrossed Bills, submitted the fourteen following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 194, entitled

An act to repeal section 9874 of article 2, chapter 154 of the Revised Statutes of 1899, entitled "City, town and village schools," and to enact a new section in lieu thereof, with an emergency clause;

Also, Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theaters, music halls, factories, office buildings, church buildings, and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith;

Also, Senate bill No. 258, entitled

An act to regulate opera houses, theaters and public halls;

Also, Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes of 1899, by adding two new sections thereto, to be known as sections 6555a and 6555b;

Also, Senate bill No. 80, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof;

Also, Senate bill No. 169, entitled

An act providing for a commission to erect a statue or monument to the memory of Colonel Thomas H. Benton, and making an appropriation therefor;

Also, Senate bill No. 202, entitled

An act to repeal section 10427 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and enact a new section in lieu thereof;

Also, Senate bill No. 212, entitled

An act to provide for the donation by the State to certain public libraries of copies of the Supreme and Appellate Courts, with an appropriation of money therefor;

Also, Senate bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States fish hatchery at Neosho, Mo., and ceding jurisdiction over the same;

Also, Senate bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide for the organization and government of such consolidated districts, with an emergency clause;

Also, Senate bill No. 259, entitled

An act to repeal section 6168 of article 9 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof;

Also, Senate bill No. 272, entitled

An act to repeal section 8818 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 273, entitled

An act to repeal section 8811 of article 2, chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 286, entitled

An act to amend section 5968, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class,"

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, March 4, 1901.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 18, entitled "An act to amend section 1990 of article 3 of chapter 15 of the Revised Statutes of 1899, entitled 'Offenses against public and private property.'"

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 157, entitled

An act entitled an act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State seminary moneys;

Also, Joint and concurrent resolution No. 1:

Submitting to the qualified voters of the State an amendment to the Constitution repealing sections 22 and 23 of article 1,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Biggs, from the Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs, submitted the following report:

Mr. President: Your Committee on Retrenchment and Reform, to which was referred Senate bill No. 240, entitled

An act to repeal section 2834 and section 2835, article XV, chapter 16 of the Revised Statutes of Missouri, 1899, and to enact two new sections in lieu thereof, to be known as sections 2834 and 2835, relative to costs in criminal cases,

Begs leave to report that it has examined the same and recommends that it do pass with amendments Nos. 1 and 2;

Which was read.

Senate amendment No. 1 to Senate bill No. 240:

Amend Senate bill No. 240 by striking out all after the enacting clause of said printed bill, and by inserting in lieu thereof, the following:

Section 1. In all cities of this State which now have or may hereafter have a population of three hundred thousand or more, if a person charged with an offense punishable with death or imprisonment in the penitentiary alone, shall be discharged by the officer taking his examination, or if he be recognized or committed for such offense, and no indictment be found against him, the costs shall be paid by the prosecutor or person on whose oath the prosecution was instituted, and judgment shall be rendered therefor as provided in section 2834 and section 2835 of the Revised Statutes of Missouri, 1899, unless the officer taking the examination, or the grand jury before which the same is investigated, shall certify that there was probable cause for the prosecution, in which event the costs shall be paid by the State.

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 240:

Amend the title of Senate bill No. 240 by striking out the same, and inserting in lieu thereof the following:

An act relating to the payment of costs in criminal cases in cities having a population of three hundred thousand or over;

Read first and second times and agreed to.

Senate bill No. 303, entitled

An act to amend sections 7081 and 7082 of the Revised Statutes of 1899, regarding convention of delegates and primary election for the nomination of candidates for office, by striking out certain words,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Senate bill No. 304, entitled

An act to repeal section 5845, article 4, chapter 91, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 307, entitled

An act to amend section 7415 of article 2, chapter 67 of the Revised Statutes of 1899, entitled "County agricultural and mechanical societies,"

Was taken up, read second time, and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senate bill No. 308, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 310, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, so as to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a.

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 311, entitled

An act to amend section 7896, article 2, chapter 119, Revised Statutes of Missouri, entitled "Life and accident insurance."

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 312, entitled

An act to amend section 1423, chapter XII, article II of the Revised Statutes of the State of Missouri, of 1899, in relation to private corporations,

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts,

Was taken up, read second time, and referred to Committee on Representative Apportionment and Redistricting the State.

Senate bill No. 314, entitled

An act to provide for the reimbursement of Jasper county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment and abolishing the office of chief clerk in the office of the Attorney-General,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 316, entitled

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and prescribing his duties, and also the duties of other offices in connection therewith in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause,

Was taken up, read second time, and referred to Committee on Judiciary.

Senator Zevly introduced Senate bill No. 324, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portion of which lie wholly within the State of Missouri,

Read first time and 150 copies ordered printed.

House bill No. 242, entitled

An act to amend section 2867 of chapter 17 of the Revised Statutes of Missouri of 1899, entitled "Damages and contributions in actions of torts,"

Was taken up and read first time.

House bill No. 245, entitled

An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to the capital stock of railroad corporations,

Was taken up and read first time.

House bill No. 317, entitled

An act to amend section 10042 of chapter 158, Revised Statutes of Missouri, 1899, entitled "Sheriffs and their deputies,"

Was taken up and read first time.

House bill No. 342, entitled

An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class, with an emergency clause,

Was taken up and read first time.

House bill No. 417, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary, educational institutions and members of police and election boards from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal,

Was taken up and read first time.

House bill No. 456, entitled

An act to amend section 8197 of article 3 of chapter 122 of Revised Statutes of Missouri of 1899, entitled "Swamp and overflowed lands," by adding a proviso to said section, the purpose of which is to quiet swamp land titles,

Was taken up and read first time.

Committee substitute for House bill No. 67, entitled

An act to amend section six thousand five hundred and sixty-six (6566) of article twenty-three (23), chapter ninety-one (91), Revised Statutes of Missouri, 1899, relating to juries in cities with over one hundred thousand inhabitants,

Was taken up, read second time, and referred to Committee on Judiciary.

Committee substitute for House bill No. 158, entitled

An act repealing sections 5537, 5538 and 5548 of the Revised Statutes of Missouri, 1899, relating to the city officers in cities of the second class, and enacting new sections in lieu thereof,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Committee substitute for House bill No. 160, entitled

An act creating a board of public works in cities of 100,000 and less than 150,000 inhabitants prescribing its powers and duties and repealing all acts or parts of acts inconsistent therewith,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Committee substitute for House bill No. 163, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes

of 1899, and entitled "Cities, towns and villages," by repealing sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539, and enacting in lieu thereof new sections, to be known as 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 191, entitled

An act requiring telegraph companies to transmit with all messages the exact time of the filing thereof, and providing penalties for violation of such requirement,

Was taken up, read second time, and referred to Committee on Private Corporations.

Committee substitute for House bills Nos. 254 and 258, entitled

An act to repeal sections 5898 and 5907 of article 5, chapter 91 of the Revised Statutes of Missouri of 1899, with an emergency clause,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 338, entitled

An act to repeal section 1793 of article 5, chapter 14, Revised Statutes of Missouri for 1899, and enact a new section in lieu thereof, to be known as section 1793, relating to the duty of county courts to cause certain prisoners to be worked,

Was taken up, read second time, and referred to Committee on County Courts and Justices of Peace.

House bill No. 353, entitled

An act to amend section 834, chapter 8 of article XI of the Revised Statutes of Missouri, relating to changes of venue, and pay of judge trying cause,

Was taken up, read second time, and referred to Committee on Judiciary.

Senator Clay moved rules be suspended and that the Senate take up Senate bill No. 272.

The motion prevailed.

On motion of Senator Clay, Senate bill No. 272, entitled

An act to repeal section 8818 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Farris,  | Marshall, | Schoenlaub. |
| Bradley,  | Fields,  | Martin,   | Stubbs,     |
| Clay,     | Haynes,  | Matthews, | Sullivan,   |
| Davisson, | Heather, | Rollins,  | Thomas,     |
| Dowell,   | Lee,     | Rubey,    | Zevely—21.  |
| Drabelle, |          |           |             |

NAYS—None.

Absent with leave—Senators

|          |           |          |            |
|----------|-----------|----------|------------|
| Clarke,  | Costello, | Orchard, | Tandy,     |
| Collins, | Jewell,   | Ramp,    | Walker,    |
| Cooper,  | Morton,   | Smith,   | Whaley—12. |

The title was read and agreed to.

Senator Clay moved to reconsider the vote by which Senate bill No. 972 passed.

Senator Rollins moved to lay that motion on the table.  
The latter motion prevailed.

Senator Clay moved that the rules be suspended and that Senate bill No. 273 be taken up.

The motion prevailed.

Senate bill No. 273 was taken up.

Senator Clay moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 273, entitled

An act to repeal section 8811 of article 2, chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|             |          |           |            |
|-------------|----------|-----------|------------|
| Biggs,      | Farris,  | Marshall, | Rubey,     |
| Bradley,    | Fields,  | Martin,   | Stubbs,    |
| Clay,       | Haynes,  | Matthews, | Sullivan,  |
| Davisson,   | Heather, | Ramp,     | Thomas,    |
| Dowell,     | Lee,     | Rollins,  | Zevely—21. |
| Drabelle, — |          |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Clarke,  | Costello, | Orchard,    | Tandy,     |
| Collins, | Jewell,   | Schoenlaub, | Walker,    |
| Cooper,  | Morton,   | Smith,      | Whaley—12. |

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which Senate bill No. 273 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Clarke was granted leave of absence.

Senator Rollins moved that the rules be suspended and that Senate bill No. 4 be taken up.

The motion prevailed.

Senate bill No. 4 was taken up.

Senator Rollins moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senate bill No. 4, entitled

An act to amend chapter 91, article 23 of the Revised Statutes of 1899, by adding two new sections thereto, to be known as sections 6555a and 6555b.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Farris,  | Lee,      | Rollins,   |
| Bradley,  | Fields,  | Marshall, | Rubey,     |
| Clay,     | Haynes,  | Martin,   | Stubbs,    |
| Davisson, | Heather, | Matthews, | Sullivan,  |
| Dowell,   | Jewell,  | Ramp,     | Thomas—21. |
| Drabelle, |          |           |            |

NAYS—None.

Absent—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Clarke,  | Costello, | Schoenlaub, | Walker,    |
| Collins, | Morton,   | Smith,      | Whaley,    |
| Cooper,  | Orchard,  | Tandy,      | Zevely—12. |

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which Senate bill No. 4 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 5, entitled

An act to amend chapter 91, article 23, section 6554 of the Revised Statutes of 1899, entitled "Jurors, how drawn,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Jewell,  
Lee,

Martin,  
Matthews,  
Ramp,  
Rollins,

Rubey,  
Stubbs,  
Sullivan,  
Thomas—18.

NAY—Senator Heather—1.

Absent with leave—Senators

Clarke,  
Collins,  
Cooper,  
Costello,

Haynes,  
Marshall,  
Morton,  
Orchard.

Schoenlaub,  
Smith,  
Tandy,

Walker,  
Whaley,  
Zevelly—14.

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which Senate bill No. 5 was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 34 was, on motion of Senator Martin, indefinitely postponed.

Senate bill No. 113 was, on motion of Senator Biggs, laid over informally.

Senate bill No. 115 was taken up and laid over informally.

Senate bill No. 131 was taken up and laid over informally.

Senate bill No. 154, entitled

An act to amend section 4358 of chapter 52, Revised Statutes of Missouri of 1899, of the mortgages and deeds of trust law, entitled "Acknowledgment of satisfaction and release, how made,"

Was ordered engrossed and printed.

Senate bill No. 156, entitled

An act relating to the bringing of suits for the publication of libel in newspapers,

Was ordered engrossed and printed.

Senate bill No. 267 was, on motion of Senator Lee, indefinitely postponed.

Senate bill No. 283 was taken up and laid over informally.

Senate bill No. 292, entitled

An act to amend chapter 20, Revised Statutes of the State Missouri, 1899, entitled "Divorce, alimony and custody of children," by adding two new sections thereto, to be known as sections 2932a and 2932b,

Was taken up and ordered engrossed and printed.

Senate bill No. 260, was taken up and laid over informally.

Committee substitute for Senate bill No. 215, entitled

An act to amend section 7945, article VI, chapter 119, of the Revised Statutes of Missouri, 1899, entitled "Insurance other than life,"

Was ordered engrossed and printed.

House bill No. 119, entitled

An act to amend section 1727 of article 3 of chapter 14 of the Revised Statutes of 1899 of Missouri, entitled "Courts of record,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Davisson,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,

Marshall,  
Martin,  
Matthews,  
Ramp,  
Rollins,

Rubey,  
Stubbs,  
Sullivan,  
Thomas,  
Zevely—22.

NAYS—None.

Absent with leave—Senators

Clarke,  
Collins,  
Cooper,

Costello,  
Morton,  
Orchard,

Schoenlaub,  
Smith,  
Tandy,

Walker,  
Whaley—11.

The title to the bill was read and agreed to.

Senator Rubey moved that the vote by which Senate bill No. 119 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 59 was taken up and laid over informally.

Committee substitute for House bill No. 78 was taken up and laid over informally.

House bill No. 251 was taken up and laid over informally.

House bill No. 303, entitled

An act to repeal sections 4231 and 4232 of article 2, chapter 47, Revised Statutes of Missouri, 1899, entitled "Liens for keeping horses and other animals," and to enact two new sections in lieu thereof, to be known as sections 4231 and 4232, and relating to the lien on offspring of animals,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Haynes,  
Jewell,  
Lee,

Matthews,  
Rollins,  
Rubey,  
Smith,

Stubbs,  
Sullivan,  
Thomas,  
Zevely—18.

NAYS—Senators,

Fields,

Heather,

Marshall—3.

Absent—Senators

Clarke,  
Collins,  
Cooper,

Costello,  
Martin,  
Morton,

Orchard,  
Ramp,  
Schoenlaub,

Tandy,  
Walker,  
Whaley—12.

The title to the bill was read and agreed to.

Senator Biggs moved that the vote by which the bill was passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 10 was taken up and laid over informally.

Committee substitute for House bill No. 7, entitled

An act to amend section 581 of the Revised Statutes of Missouri, 1899, relating to orders of publication,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS--Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Fields,   | Martin,   | Smith,      |
| Bradley,  | Haynes,   | Matthews, | Stubbs,     |
| Clay,     | Heather,  | Ramp,     | Sullivan,   |
| Dowell,   | Jewell,   | Rollins,  | Thomas,     |
| Drabelle, | Lee,      | Rubey,    | Zevely--22. |
| Farris,   | Marshall, |           |             |

## NAYS--None.

## Absent with leave--Senators

|          |           |             |             |
|----------|-----------|-------------|-------------|
| Clarke,  | Costello, | Orchard,    | Walker,     |
| Collins, | Davison,  | Schoenlaub, | Whaley--11. |
| Cooper,  | Morton,   | Tandy,      |             |

The title to the bill was read and agreed to.

Senator Haynes moved that the vote by which committee substitute for House bill No. 7 was passed be reconsidered.

Senator Sullivan moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for House bill No. 8 was taken up and laid over informally.

House bill No. 28, entitled

An act entitled an act to amend chapter 86 of the Revised Statutes of Missouri of 1899, relating to burial grounds by adding a new section thereto to be known as section 5217a,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS--Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Fields,  | Marshall, | Rubey,      |
| Bradley,  | Haynes,  | Martin,   | Stubbs,     |
| Clay,     | Heather, | Matthews, | Sullivan,   |
| Dowell,   | Jewell,  | Ramp,     | Thomas,     |
| Drabelle, | Lee,     | Rollins,  | Zevely--21. |
| Farris,   |          |           |             |

## NAYS--None.

## Absent with leave--Senators

|           |          |             |             |
|-----------|----------|-------------|-------------|
| Clarke,   | Davison, | Schoenlaub, | Walker,     |
| Collins,  | Morton,  | Smith,      | Whaley--10. |
| Costello, | Orchard, |             |             |

## Sick--Senators

|         |           |
|---------|-----------|
| Cooper, | Tandy--2. |
|---------|-----------|

Title to the bill was read and agreed to.

Senator Lee moved that the vote by which House bill No. 28 was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

The twelve following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate bill No. 74, entitled

An act to create the office of license collector, provide for the election of license collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more, and to provide for the payment of the salaries and expenses of said office of license collector;

Also, Senate bill No. 43, entitled

An act fixing the time for holding court in the Fifteenth judicial circuit, and in the criminal court of the Fifteenth circuit of the State of Missouri;

Also, Joint and concurrent resolution No. 24, has been introduced and passed by the House, asking Congress to donate all the government lands in Missouri to the State for public school purposes;

Also, substitute for House bill No. 84, entitled

An act to amend chapter 15, article 2, Revised Statutes of the State of Missouri, entitled "Crimes and punishments," by enacting a new section;

Also, Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7 and 8:

The House has refused to concur in Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7 and 8, and appointed a committee to confer with the Senate regarding House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902;

Also, House bill No. 483, entitled

An act to amend article 2 of chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections by adding thereto a new section, to be known as section 7084a;

Also, House bill No. 237, entitled

An act to make "Carleton's Abstracts" abstracts of land title in Pemiscot county, or certified copies of the entries therein, evidence in all courts and places in this State;

Also, House bill No. 277, entitled

An act to repeal the article beginning on page 2585 and ending on page 2589 of volume 2, Revised Statutes of Missouri, 1899, entitled "Sturgeon Court of Common Pleas," and to abolish said court and transfer all records and papers of said court to the clerk of the circuit court of Boone county;

Also, House bill No. 137, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof;

Also, House bill No. 390, entitled

An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled "Roads and highways," and enacting three new sections in lieu thereof, and to be known as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows:

Also, House bill No. 211, entitled

An act to amend sections 3830 and 3843 of article 2, chapter 43 of Revised Statutes of Missouri of 1899, entitled "Justice's courts:"

Also, House bill No. 349, entitled

An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies:

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Jewell moved that the rules be suspended and that House bill No. 137 be taken up.

The motion prevailed.

House bill No. 137, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof,

Was taken up and read first time.

Senator Rubey moved that the Senate insist upon Senate amendments to House bill No. 230 and ask that a conference committee be appointed.

The motion prevailed.

House bill No. 167, entitled

An act to repeal section 1825 of article 2, chapter 12, Revised Statutes of Missouri, and enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Martin,     | Smith,     |
| Bradley,  | Haynes,   | Matthews,   | Stubbs,    |
| Clay,     | Heather,  | Ramp,       | Sullivan,  |
| Dowell,   | Jewell,   | Rollins,    | Thomas,    |
| Drabelle, | Lee,      | Rubey,      | Zevely—23. |
| Farris,   | Marshall, | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Clarke,  | Costello, | Orchard, | Whaley—7. |
| Collins, | Davissou, | Walker,  |           |

Sick—Senators

|         |         |          |
|---------|---------|----------|
| Cooper, | Morton, | Tandy—3. |
|---------|---------|----------|

The title to the bill was read and agreed to.

Senator Lee moved that the vote by which House bill No. 167 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 323, entitled

An act to repeal section 1937 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Farris,  | Marshall,   | Stubbs,    |
| Bradley,  | Fields,  | Martin,     | Sullivan,  |
| Clay,     | Haynes,  | Matthews,   | Thomas,    |
| Dowell,   | Heather, | Rubey,      | Zevely—19. |
| Drabelle, | Lee,     | Schoenlaub, |            |

NAYS—Senators

|         |          |          |
|---------|----------|----------|
| Jewell, | Rollins, | Smith—3. |
|---------|----------|----------|

Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Clarke,  | Costello, | Orchard, | Walker,   |
| Collins, | Davissou, | Ramp,    | Whaley—8. |

Sick—Senators

|         |         |          |
|---------|---------|----------|
| Cooper, | Morton, | Tandy—3. |
|---------|---------|----------|

The title to the bill was read and agreed to.

Senator Schoenlaub moved that the vote by which House bill No. 323 was passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Leave of absence was granted Senators Walker and Costello.

Senator Tandy, from the Committee on Engrossed Bills, submitted the twelve following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 48, entitled

An act providing for the time when a vote of the people of this State shall be taken upon the question whether a convention shall be

held for the purpose of revising and amending the Constitution of the State, providing for the place of meeting of convention, eligibility of members thereof, and form of ballot;

Also, Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—board of examiners;

Also, Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Revised Statutes of the State of Missouri, 1899, entitled "Destruction of certain papers after five years;"

Also, Senate bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner;

Also, Senate bill No. 103, entitled

An act fixing the salaries to be paid to justices of the peace and constables in townships which now have, or may hereafter have a population of one hundred and fifty thousand inhabitants and less than three hundred thousand inhabitants, and directing the disbursement of fees and providing for the election and appointment of constables, deputy constables, clerks and deputy clerks of said justices, and fixing their salaries, and to repeal article 11 of chapter 43 of the Revised Statutes of 1899;

Also, Senate bill No. 116, entitled

An act to amend section 2267 of article 8 of the Revised Statutes of Missouri of 1899, entitled "Offenses against public morals or decency, or the public police and miscellaneous offenses;"

Also Senate bill No. 120, entitled

An act to prevent and punish the desecration of the flag of the United States;

Also, Senate bill No. 121, entitled

An act to repeal section 2064 of article 5 of chapter 15, entitled "Crimes and punishments," and enacting a new section in lieu thereof;

Also, Senate bill No. 165, entitled

An act to amend chapter 96 of the Revised Statutes of 1899, entitled "Coroners and inquests," by adding thereto a new section, to be known as section 6633a;

Also, Senate bill No. 203, entitled

An act to repeal section 10429 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and to enact a new section in lieu thereof;

Also, Senate bill No. 261, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause;

Also, Senate bill No. 257, entitled

An act to amend section 5187, chapter 84 of the Revised Statutes of 1899, relating to bridges;

Also, Senate bill No. 274, entitled

An act to regulate the sale of cocaine and of preparations containing cocaine;

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Dowell introduced Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations;"

Read first time and 150 copies ordered printed.

Senator Farris (by request) introduced Senate bill No. 326, entitled

An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund;

Read first time and 150 copies ordered printed.

The President announced the following named Senators as Conference Committee on Senate amendments to House bill No. 230, viz.: Senators Rubey, Clay and Ramp.

The President announced the reception from the House of Representatives, House enrolled bill No. 149, entitled

An act to amend section 1584 of article 1, chapter 14, Revised Statutes of Missouri, 1899, entitled "Courts of record," and relating to the general powers and duties of such courts.

That the same had passed both branches of the General Assembly, that all other business would be suspended, and the bill read at length; that unless objection be made he would sign the same to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 166, entitled

An act to repeal sections 6819, 6820 and 6821 of article 6 of chapter 97 of the Revised Statutes of Missouri, 1899, and to enact three new sections in lieu thereof, entitled "Depositaries for county funds."

That the same had passed both branches of the General Assembly, that all other business would be suspended, and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, Senate joint and concurrent resolution No. 1:

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution, repealing sections 22 and 23 of article 10,

That the same had passed both branches of the General Assembly, that all other business would be suspended, and the Joint and concurrent resolution read at length; that unless objections be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The Joint and concurrent resolution was read at length by the Secretary, and no objection being made, the President, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the resolution was then sent to the House for their signature.

Senator Haynes introduced Senate bill No. 327, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes

of 1899, and entitled "Cities, towns and villages," by repealing section 5522, and enacting in lieu thereof a new section, to be known as section 5522;

Read first time and 150 copies ordered printed.

On motion of Senator Rubey, the Senate adjourned until 10 a. m. tomorrow.

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FORTY-FIFTH DAY—Tuesday, March 5, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Morton presented a petition from the citizens of Carrollton, Mo., asking for the passage of the anti-cigarette law;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Heather presented a petition from the citizens of Palmyra, Mo., asking for the passage of House bill No. 88, and Senate bill No. 110, in regard to alum baking powders;

Read and referred to the Committee on Criminal Jurisprudence.

Senator Tandy, from the Committee on Engrossed Bills, submitted the eight following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate joint and concurrent resolution No. 8, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri:

Also, Senate joint and concurrent resolution No. 9, entitled

Joint and concurrent resolution submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article IX, and enacting a new section in lieu thereof;

Also, Senate joint and concurrent resolution No. 10, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have, or that may hereafter have, three hundred thousand inhabitants or more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office;

Also, Senate joint and concurrent resolution No. 12, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation;

Also, Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause;

Also, Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have, or that may hereafter have, three hundred thousand inhabitants or more, and providing for the appoint-

ment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office;

Also, Senate bill No. 275, entitled

An act to amend section 3020 of the Revised Statutes of Missouri of 1899, relating to granting dramshop licenses in cities of two hundred thousand inhabitants or over, by authorizing the transfer of said licenses, and by adding a new section to said act, to be known as section 3026a;

Also, Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right-of-way for railroad purposes over the land belonging to the State of Missouri for the use of said asylum,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Heather presented a remonstrance from citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 317, entitled

An act to amend section, which is numbered 8778, on page 2066 of article 1 of chapter 141, entitled "Penitentiary," by adding a proviso thereto,

Was taken up, read second time, and referred to Committee on Penitentiary and Reform Schools.

Senate bill No. 318, entitled

An act to divide the State into sixteen Congressional districts,

Was taken up, read second time, and referred to Committee on Representative Apportionment and Redistricting the State.

Senate bill No. 319, entitled

An act to amend section 4944 of chapter 75 of article 2 of the Revised Statutes of Missouri, for 1899, relating to prosecuting attorneys and their assistants,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools.

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to charity boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines thereof, and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to charity boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House bill No. 211, entitled

An act to amend sections 3839 and 3843 of article 2, chapter 43 of Revised Statutes of Missouri of 1899, entitled "Justice's courts,"

Was taken up and read first time.

House bill No. 349, entitled

An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies,

Was taken up and read first time.

Committee substitute for House bill No. 84, entitled

An act to amend chapter 15, article 2, Revised Statutes of the State of Missouri, entitled "Crimes and punishments," by enacting a new section,

Was taken up and read first time.

House bill No. 483, entitled

An act to amend article 2 of chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections, by adding thereto a new section, to be known as section 7084a.

Was taken up and read first time.

House bill No. 237, entitled

An act to make "Carleton's Abstracts" abstracts of land title in Pemiscot county, or certified copies of the entries therein, evidence in all courts and places in this State,

Was taken up and read first time.

House bill No. 390, entitled

An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled "Roads and highways;" and enacting three new sections in lieu thereof, and to be known as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows,

Was taken up and read first time.

House bill No. 277, entitled

An act to repeal article beginning on page 2585 and ending on page 2589 of volume 2, Revised Statutes of Missouri, 1899, entitled "Sturgeon Court of Common Pleas," and to abolish said court and transfer all records and papers of said court to the clerk of the circuit court of Boone county,

Was taken up and read first time.

House joint and concurrent resolution No. 24,

Asking Congress to donate all the government lands in Missouri to the State for public school purposes,

Was taken up and read first time.

House bill No. 242, entitled

An act to amend section 2867 of chapter 17 of the Revised Statutes

of Missouri of 1899, entitled "Damages and contributions in actions of torts,"

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 245, entitled

An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to the capital stock of railroad corporations,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 317, entitled

An act to amend section 10042 of chapter 158, Revised Statutes of Missouri, 1899, entitled "Sheriffs and their deputies,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 342, entitled

An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class, with an emergency clause,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 417, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary institutions and members of police and election boards from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House bill No. 456, entitled

An act to amend section 8197 of article 3 of chapter 122 of Revised Statutes of Missouri of 1899, entitled "Swamp and overflowed lands," by adding a proviso to said section, the purpose of which is to quiet swamp land titles,

Was taken up, read second time, and referred to Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains.

House bill No. 137, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 259, entitled

An act to repeal section 6168 of article 9 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |
|-----------|-----------|
| Biggs,    | Farris,   |
| Clarke,   | Fields,   |
| Clay,     | Jewell,   |
| Collins,  | Lee,      |
| Costello, | Marshall, |
| Davisson, | Matthews, |
| Dowell,   |           |

|             |
|-------------|
| Morton,     |
| Ramp,       |
| Rollins,    |
| Rubey,      |
| Schoenlaub, |
| Smith,      |

|            |
|------------|
| Stubbs,    |
| Sullivan,  |
| Thomas,    |
| Walker,    |
| Whaley,    |
| Zevely—25. |

## NAYS—Senators

|                            |          |           |
|----------------------------|----------|-----------|
| Bradley,                   | Heather, | Martin—3. |
| Absent with leave—Senators |          |           |
| Drabelle,                  | Haynes,  | Orchard,  |
| Sick—Senator Cooper—1.     |          |           |

The title to the bill was read and agreed to.

Senator Smith moved that the vote by which the bill was passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide for the organization and government of such consolidated districts, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Morton,     | Stubbs,    |
| Bradley,  | Farris,   | Ramp,       | Sullivan,  |
| Clarke,   | Fields,   | Rollins,    | Thomas,    |
| Clay,     | Heather,  | Rubey,      | Walker,    |
| Collins,  | Jewell,   | Schoenlaub, | Whaley,    |
| Costello, | Martin,   | Smith,      | Zevely—26. |
| Davisson, | Matthews, |             |            |

NAY—Senator Marshall—1.

Absent with leave—Senators

|           |      |          |          |
|-----------|------|----------|----------|
| Drabelle, | Lee, | Orchard, | Tandy—5. |
| Haynes,   |      |          |          |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Dowell,  | Martin,     | Smith,     |
| Bradley,  | Farris,  | Matthews,   | Stubbs,    |
| Clarke,   | Fields,  | Morton,     | Sullivan.  |
| Clay,     | Haynes,  | Ramp,       | Thomas,    |
| Collins,  | Heather, | Rollins,    | Walker,    |
| Costello, | Jewell,  | Rubey,      | Whaley,    |
| Davisson, | Lee,     | Schoenlaub, | Zevely—28. |

NAYS—None.

Absent with leave—Senators

|           |           |          |          |
|-----------|-----------|----------|----------|
| Drabelle, | Marshall, | Orchard, | Tandy—4. |
|-----------|-----------|----------|----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 286, entitled

An act to amend section 5068, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Smith,     |
| Bradley,  | Farris,   | Martin,     | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Collins,  | Heather,  | Rollins,    | Walker,    |
| Costello, | Jewell,   | Rubey,      | Whaley,    |
| Davisson, | Lee,      | Schoenlaub, | Zevely—29. |
| Dowell,   |           |             |            |

NAYS—None.

Absent with leave—Senators

Matthews, Orchard, Tandy—3.  
Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which the bill was passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 258 was taken up and laid over informally.

Senate bill No. 169, entitled

An act providing for a commission to erect a statue or monument to the memory of Colonel Thomas H. Benton, and making an appropriation therefor,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Dowell,  | Martin,     | Smith,     |
| Bradley,  | Farris,  | Morton,     | Stubbs,    |
| Clarke,   | Fields,  | Ramp,       | Sullivan,  |
| Clay,     | Haynes,  | Rollins,    | Thomas,    |
| Collins,  | Heather, | Rubey,      | Walker,    |
| Costello, | Jewell,  | Schoenlaub, | Whaley—26. |
| Davisson, | Lee,     |             |            |

NAY—Senator Zevely—1.

Absent with leave—Senators

Drabelle, Matthews, Orchard, Tandy—5.  
Marshall,

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clay moved to reconsider the vote by which Senate bill No. 169 was passed.

Senator Marshall moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 80 was taken up and laid over informally.

Senate bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States fish hatchery at Neosho, Mo., and ceding jurisdiction over the same,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Collins,  | Heather,  | Rollins,    | Walker,    |
| Costello, | Jewell,   | Rubey,      | Whaley,    |
| Davisson, | Lee,      | Schoenlaub, | Zevely—30. |
| Dowell,   | Marshall, |             |            |

NAYS—None.

Absent with leave—Senators

Orchard, Tandy—2.

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,  
Marshall,

Martin,  
Matthews,  
Morton,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley,  
Zevely—30.

## YEAS—Senators

Absent with leave—Senators

Orchard,

Tandy—2.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Whaley moved to reconsider the vote by which Senate bill No. 246 passed.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 202, entitled

An act to repeal section 10427 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,  
Marshall,

Martin,  
Matthews,  
Morton,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley,  
Zevely—30.

## NAYS—None.

Absent with leave—Senators

Orchard,

Tandy—2.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Whaley moved to reconsider the vote by which Senate bill No. 202 was passed.

Senator Stubbs moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 212, entitled

An act to provide for the donation by the State to certain public libraries of copies of the Supreme and Appellate courts, with an appropriation of money therefor,

Was read third time, and failed to pass by the following vote:

## YEAS—Senators

Clarke,  
Clay,  
Collins,  
Drabelle,

Fields,  
Haynes,  
Jewell,  
Matthews,

Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Sullivan,  
Thomas,  
Walker,  
Whaley—16.

## NAYS—Senators

Biggs,  
Bradley,  
Costello,  
Davisson,

Dowell,  
Farris,  
Heather,

Lee,  
Marshall,  
Martin,

Smith,  
Stubbs,  
Zevely—13.

Absent with leave—Senators

Morton,

Orchard,

Tandy—3.

Sick—Senator Cooper—1.

The president called Senator Rollins to the chair.

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 375, entitled

An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities of ten thousand population or more and to prohibit the employment of children during school hours;

Also, House bill No. 74, entitled

An act to amend section 2627 of article 7 of chapter 16 of Revised Statutes of the State of Missouri of 1899, entitled "Practice and proceedings in criminal cases;"

Also, House bill No. 324, entitled

An act to amend article 5 of chapter 91 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section No. 6003a,

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Dowell, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 264, entitled

An act to create the office of Excise Commissioner in cities which now have or may hereafter have a population of 150,000 inhabitants and less than 300,000 inhabitants, to provide for the appointment and define the duties of such commissioner,

Begs leave to report that it has examined the same and submits committee substitute and recommends it do pass;

Which was read.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 316, entitled

An act to create the office of county auditor in certain counties,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendments:

Which was read.

Amendment No. 1 to Senate bill No. 316:

Amend by changing the section No. 25 to section 27;

Read first and second times and agreed to.

Amendment No. 2:

Amend by adding another section thereto, to be known as section 25, to read as follows:

Section 25. Every auditor may appoint a deputy for such time as he may deem proper, who shall possess the same qualifications as the auditor, and take the like oath, and may, in the name of his principal, perform the duties of auditor. But all auditors and their sureties shall be responsible for the conduct of the deputy, and the auditor shall immediately certify his appointment to the county court. Such deputy shall be paid a salary of not more than one hundred dollars per month to be fixed by the county court immediately upon his appointment, being certified to it, and paid quarterly by warrant drawn on the county treasury.

Read first and second times and agreed to.

Amendment No. 3 to Senate bill No. 316:

Amend by adding another section thereto, to be known as section 26, to read as follows:

Section 26. Any officer hereinbefore mentioned who shall knowingly and wilfully violate any of the provisions of this act, shall be deemed guilty of a misdemeanor in office and may be prosecuted and punished as such, in the same manner and form as clerks of courts of record are in such cases made and provided.

Read first and second times and agreed to.

Amend title to Senate bill No. 316:

Strike out title and insert in lieu thereof the following title:

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and defining his duties, providing for the appointment of a deputy and also defining the duties of other officers in connection therewith, and prescribing penalties in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause;

Read first and second times and agreed to.

Senator Haynes moved that the rules be suspended and that Senate bill No. 316, as amended, be taken up.

The motion prevailed.

Senate bill No. 316, as amended, entitled

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and prescribing his duties, and also the duties of other offices in connection therewith in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause,

Was ordered engrossed and printed.

Senate bill No. 203 was taken up.

Senator Whaley moved that the bill be read third time and put upon its passage.

The motion prevailed.

Senator Rubey moved that the vote by which bill was ordered read third time be reconsidered.

Roll call demanded.

The motion was lost by the following vote:

#### YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Costello,

Dowell,  
Farris,  
Fields,

Heather,  
Marshall,  
Martin,

Rubey,  
Stubbs,  
Zevely—13.

#### NAYS—Senators

Clarke,  
Collins,  
Davisson,

Haynes,  
Jewell,  
Matthews,

Rollins,  
Smith,  
Sullivan,

Thomas,  
Whaley—11.

#### Absent with leave—Senators

Drabelle,  
Lee,

Morton,  
Orchard,

Ramp,  
Schoenlaub,

Tandy,  
Walker—8.

Stick—Senator Cooper—1.

The question recurring on the motion to read third time, pending the question, Senator Heather moved that the Senate take a recess until 2 p. m.

The motion prevailed.

## AFTERNOON SESSION.

The President called the Senate to order at 2 p. m.

Senator Walker moved that the rules be suspended and that the vote by which Senate bill No. 88 was ordered engrossed and printed be reconsidered.

The motion prevailed.

The Secretary announced that the bill was in possession of the printer.

Senator Walker moved that Senate bill No. 88 be recalled from the printer.

The motion prevailed.

Motion that Senate bill No. 203 be read third time and put upon its passage being the pending question at time of taking recess, the same was taken up.

Senate bill No. 203, entitled

An act to repeal section 10429 of article 1, chapter 170 of the Revised Statutes of the State of Missouri, 1899, entitled "Treasury Department," and to enact a new section in lieu thereof,

Was read third time and failed to pass by the following vote:

## YEAS—Senators

Clarke,  
Collins,  
Davisson,  
Haynes,

Jewell,  
Morton,  
Ramp,  
Rollins,

Rubey,  
Schoenlaub,  
Smith,

Thomas,  
Whaley,  
Zevely—14.

## NAYS—Senators

Biggs,  
Bradley,  
Costello,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Heather,

Lee,  
Marshall,  
Martin,

Stubbs,  
Sullivan,  
Walker—14.

## Absent with leave—Senators

Clay,

Matthews,

Orchard.

Tandy—4.

## Sick—Senator Cooper—1.

Senator Haynes moved that the rules be suspended and that committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6 be taken up.

The motion prevailed.

On motion of Senator Haynes, committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6 was ordered engrossed and printed.

Senate bill No. 194 was taken up and laid over informally.

Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theaters, music halls, factories, office buildings, church buildings, and all bulidings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall. | Schoenlaub, |
| Clarke,   | Farris,   | Matthews, | Sullivan,   |
| Clay,     | Fields,   | Morton,   | Thomas,     |
| Collins,  | Heather,  | Ramp,     | Walker,     |
| Costello, | Jewell,   | Rollins,  | Whaley—22.  |
| Davisson, | Lee,      |           |             |

## NAYS—Senators,

|          |         |         |           |
|----------|---------|---------|-----------|
| Bradley, | Haynes, | Martin, | Stubbs—5. |
| Dowell,  |         |         |           |

## Absent with leave—Senators

|          |        |        |           |
|----------|--------|--------|-----------|
| Orchard, | Smith, | Tandy, | Zevely—5. |
| Rubey,   |        |        |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Collins moved that the vote by which the bill was passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Lee,        | Smith,     |
| Bradley,  | Drabelle, | Martin,     | Stubbs,    |
| Clay,     | Farris,   | Matthews,   | Sullivan,  |
| Collins,  | Fields,   | Rollins,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Walker—23. |
| Davisson, | Jewell,   | Schoenlaub, |            |

## NAYS—Senators

|         |           |         |           |
|---------|-----------|---------|-----------|
| Clarke, | Marshall, | Ramp,   | Zevely—7. |
| Haynes, | Morton,   | Whaley, |           |

## Absent with leave—Senators

|          |          |
|----------|----------|
| Orchard, | Tandy—2. |
|----------|----------|

Sick—Senator Cooper—1

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which the bill was passed be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 265 was taken up and laid over informally.

Senate bill No. 262, entitled

An act to amend article 8 of chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding the following new sections thereto,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Clarke,   | Fields,   | Rollins, | Sullivan,  |
| Clay,     | Haynes,   | Rubey,   | Thomas,    |
| Davisson, | Lee,      | Smith,   | Walker,    |
| Dowell,   | Matthews, | Stubbs,  | Zevely—18. |
| Farris,   | Morton,   |          |            |

## NAYS—Senators

|          |           |           |             |
|----------|-----------|-----------|-------------|
| Biggs,   | Costello, | Jewell,   | Ramp,       |
| Bradley, | Drabelle, | Marshall, | Schoenlaub, |
| Collins, | Heather,  | Martin,   | Whaley—12.  |

|          |          |
|----------|----------|
| Orchard, | Tandy—2. |
|----------|----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Matthews moved that the vote by which the bill was passed be reconsidered.

Senator Stubbs moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Jewell,   | Schoenlaub, |
| Bradley,  | Drabelle, | Lee,      | Smith,      |
| Clay,     | Farris,   | Matthews, | Stubbs,     |
| Collins,  | Fields,   | Morton,   | Sullivan,   |
| Costello, | Haynes,   | Ramp,     | Thomas,     |
| Davisson, | Heather,  | Rubey,    | Walker—24.  |

NAYS—Senators

|         |         |            |
|---------|---------|------------|
| Clarke, | Martin, | Rollins—3. |
|---------|---------|------------|

Absent with leave—Senators

|           |        |         |           |
|-----------|--------|---------|-----------|
| Marshall, | Tandy, | Whaley, | Zevely—5. |
| Orchard,  |        |         |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Schoenlaub moved that the vote by which the bill was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 229 was taken up and laid over informally.

Senate bill No. 263 was taken up and laid over informally.

Senate bill No. 46, entitled

An act to create the office of license collector, provide for the election of license collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof, in cities now having or which hereafter may have three hundred thousand inhabitants or more, and to provide for the payment of the salaries and expenses of said office of license collector,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Heather,    | Stubbs,    |
| Bradley,  | Drabelle, | Marshall,   | Thomas,    |
| Clay,     | Farris,   | Morton,     | Walker,    |
| Collins,  | Fields,   | Rubey,      | Zevely—19. |
| Costello, | Haynes,   | Schoenlaub, |            |

NAYS—Senators

|           |          |        |             |
|-----------|----------|--------|-------------|
| Jewell,   | Ramp,    | Smith, | Sullivan—6. |
| Matthews, | Rollins, |        |             |

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Clarke,   | Lee,    | Orchard, | Whaley—7. |
| Davisson, | Martin, | Tandy,   |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Collins moved that vote by which the bill was passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

A message was received from the Governor, through his Private Secretary.

[See Appendix.]

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am intrusted by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

Concurrent resolution No. 25, with reference to voting machines and the appointment of a joint committee to investigate the same,

In which the concurrence of the Senate is respectfully requested;  
Which was read.

Senate bill No. 257, entitled

An act to amend section 5187, chapter 84 of the Revised Statutes of 1899, relating to bridges,

Was read third time, placed upon its passage, and passed by the following vote.

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Lee,      | Rubey,     |
| Bradley,  | Farris,   | Marshall, | Smith,     |
| Clay,     | Fields,   | Martin,   | Stubbs,    |
| Collins,  | Haynes,   | Matthews, | Thomas,    |
| Costello, | Heather,  | Morton,   | Walker,    |
| Davison,  | Jewell,   | Ramp,     | Zevely—25. |
| Dowell,   |           |           |            |

NAY—Senator Sullivan—1.

Absent with leave—Senators

|          |             |        |           |
|----------|-------------|--------|-----------|
| Clarke,  | Rollins,    | Tandy, | Whaley—6. |
| Orchard, | Schoenlaub, |        |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The motion prevailed.

Senate bill No. 274, entitled

An act to regulate the sale of cocaine and of preparations containing cocaine,

Was read third time and failed to pass by the following vote:

YEAS—Senators

|          |           |           |            |
|----------|-----------|-----------|------------|
| Biggs,   | Drabelle, | Matthews, | Smith,     |
| Clarke,  | Farris,   | Morton,   | Sullivan,  |
| Clay,    | Jewell,   | Ramp,     | Walker—13. |
| Davison, |           |           |            |

NAYS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Fields,   | Martin,     | Stubbs,    |
| Collins,  | Haynes,   | Rollins,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Zevely—15. |
| Dowell,   | Marshall, | Schoenlaub, |            |

Absent with leave—Senators

|      |          |        |           |
|------|----------|--------|-----------|
| Lee, | Orchard, | Tandy, | Whaley—4. |
|------|----------|--------|-----------|

Sick—Senator Cooper—1.

Senate bill No. 261 was taken up and laid over informally.

Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—board of examiners,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Lee,      | Schoenlaub, |
| Bradley,  | Drabelle, | Marshall, | Smith,      |
| Clarke,   | Farris,   | Martin,   | Stubbs,     |
| Clay,     | Fields,   | Morton,   | Sullivan,   |
| Collins,  | Haynes,   | Ramp,     | Thomas,     |
| Costello, | Heather,  | Rollins,  | Walker,     |
| Davisson, | Jewell,   | Rubey,    | Zevely—28.  |

## NAYS—None.

Absent with leave—Senators

|           |          |        |           |
|-----------|----------|--------|-----------|
| Matthews, | Orchard, | Tandy, | Whaley—4. |
|-----------|----------|--------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which the bill was passed be reconsidered.

Senator Sullivan moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Revised Statutes of the State of Missouri, 1899, entitled "Destruction of certain papers after five years,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Lee,      | Schoenlaub, |
| Bradley,  | Drabelle, | Marshall, | Smith,      |
| Clarke,   | Farris,   | Matthews, | Stubbs,     |
| Clay,     | Fields,   | Morton,   | Sullivan,   |
| Collins,  | Haynes,   | Ramp,     | Thomas,     |
| Costello, | Heather,  | Rollins,  | Walker,     |
| Davisson, | Jewell,   | Rubey,    | Zevely—28.  |

## NAYS—None.

Absent with leave—Senators

|         |          |        |           |
|---------|----------|--------|-----------|
| Martin, | Orchard, | Tandy, | Whaley—4. |
|---------|----------|--------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which bill was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Farris,   | Matthews, | Stubbs,    |
| Bradley,  | Fields,   | Morton,   | Sullivan,  |
| Clarke,   | Jewell,   | Ramp,     | Thomas,    |
| Clay,     | Lee,      | Rollins,  | Walker,    |
| Costello, | Marshall, | Rubey,    | Zevely—23. |
| Dowell,   | Martin,   | Smith,    |            |

## NAYS—None.

Absent with leave—Senators

|           |          |             |           |
|-----------|----------|-------------|-----------|
| Collins,  | Haynes,  | Orchard,    | Tandy,    |
| Davisson, | Heather, | Schoenlaub, | Whaley—9. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Farris moved to lay that motion on the table.  
The latter motion prevailed.

Senate bill No. 103, entitled

An act fixing the salaries to be paid to justices of the peace and constables in townships which now have or may hereafter have a population of one hundred and fifty thousand inhabitants and less than three hundred thousand inhabitants, and directing the disbursement of fees and providing for the election and appointment of constables, deputy constables, clerks and deputy clerks of said justices and fixing their salaries and to repeal article 11 of chapter 43 of the Revised Statutes of 1899,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Smith,     |
| Bradley,  | Fields,   | Matthews,   | Stubbs,    |
| Clarke,   | Haynes,   | Ramp,       | Sullivan,  |
| Clay,     | Heather,  | Rollins,    | Thomas,    |
| Collins,  | Jewell,   | Schoenlaub, | Walker—22. |
| Davisson, | Marshall, |             |            |

NAY—Senator Zevely—1.

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Costello, | Lee,    | Orchard, | Tandy,    |
| Drabelle, | Morton, | Rubey,   | Whaley—9. |
| Farris,   |         |          |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clarke moved that the vote by which the bill was passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 116 was taken up and laid over informally.

Senate bill No. 121, entitled

An act to repeal section 2064 of article 5 of chapter 15, entitled "Crimes and punishments," and enacting a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Jewell,   | Schoenlaub, |
| Clay,     | Farris,   | Marshall, | Stubbs,     |
| Collins,  | Fields,   | Matthews, | Thomas,     |
| Costello, | Haynes,   | Morton,   | Walker—19.  |
| Dowell,   | Heather,  | Rubey,    |             |

NAYS—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Bradley,  | Martin, | Rollins, | Sullivan, |
| Clarke,   | Ramp,   | Smith,   | Zevely—9. |
| Davisson, |         |          |           |

Absent with leave—Senators

|      |          |        |           |
|------|----------|--------|-----------|
| Lee, | Orchard, | Tandy, | Whaley—4. |
|------|----------|--------|-----------|

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Collins moved that the vote by which Senate bill No. 121 was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senator Martin presented a petition from citizens from his district praying for the passage of Senate bill No. 236 or House bill No. 504, relating to the dairy interests of the State;

Read and referred to the Committee on Agriculture, Roads and Highways, Bridges and Ferries.

Senate bill No. 120 was taken up and laid over informally.

Senate bill No. 165, entitled

An act to amend chapter 96 of the Revised Statutes of 1899, entitled "Coroners and inquests," by adding thereto a new section, to be known as section 6633a,

Was read third time and failed to pass by the following vote:

YEAS—Senators

Clarke,  
Haynes,  
Jewell,

Matthews,  
Morton,  
Rollins,

Smith,  
Sullivan,

Thomas,  
Zevely—10.

NAYS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,

Costello,  
Davisson,  
Dowell,  
Drabelle,

Fields,  
Heather,  
Marshall,

Martin,  
Stubbs,  
Walker—14.

Absent with leave—Senators

Farris,  
Lee,

Orchard,  
Ramp,

Rubey,  
Schoenlaub,

Tandy,  
Whaley—8.

Sick—Senator Cooper—1.

Committee substitute for Senate bill No. 48 was taken up and laid over informally.

Senator Farris called up Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled "Institutions, eleemosynary,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,

Davisson,  
Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,

Jewell,  
Marshall,  
Martin,  
Matthews,  
Morton,  
Ramp,

Rollins,  
Smith,  
Stubbs,  
Thomas,  
Walker,  
Zevely—24.

NAYS—None.

Absent with leave—Senators

Heather,  
Lee,

Orchard,  
Rubey,

Schoenlaub,  
Sullivan,

Tandy,  
Whaley—8.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Farris moved that the vote by which Senate bill No. 250 passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senator Walker called up Senate bill No. 256, entitled

An act to amend section 3265 of article 1, chapter 27 of the Revised Statutes of 1899, relating to fees,

Which was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,

Costello,  
Davisson,  
Dowell,  
Drabelle,  
Fields,

Haynes,  
Jewell,  
Martin,  
Morton,  
Ramp,

Schoeneaub,  
Stubbs,  
Thomas,  
Walker—19.

NAYS—Senators

Farris,  
Heather,

Marshall,  
Matthews,

Rollins,  
Smith,

Sullivan,  
Zevely—8.

Absent with leave—Senators

Lee,  
Orchard,

Rubey,

Tandy,

Whaley—5.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 256 passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

Senator Farris called up Senate bill No. 39, entitled

An act to amend section 8012 of the Revised Statutes of Missouri of 1899, entitled "Insurance," by adding a proviso thereto,

Which was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,

Davisson,  
Dowell,  
Drabelle,  
Farris,  
Fields,

Jewell,  
Marshall,  
Matthews,  
Morton,  
Rollins,

Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Zevely—21.

NAYS—Senators

Heather,

Martin—2.

Absent with leave—Senators

Haynes,  
Lee,  
Orchard,

Ramp,  
Rubey,

Schoenlaub,  
Smith,

Tandy,  
Whaley—9.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Farris moved that the vote by which Senate bill No. 39 passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senator Farris called up Senate bill No. 78, entitled

An act authorizing the erection of a new Supreme Court building, creating a commission to have charge of such erection, and making an appropriation to carry the act into effect,

Which was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,

Davisson,  
Drabelle,  
Farris,  
Haynes,  
Jewell,

Martin,  
Matthews,  
Rollins,  
Schoenlaub,

Stubbs,  
Thomas,  
Walker,  
Zevely—18.

NAYS—Senators

Dowell,

Fields,

Heather,

Marshall—4.

Absent with leave—Senators

Costello,  
Lee,  
Morton,

Orchard,  
Ramp,  
Rubey,

Smith,  
Sullivan,

Tandy,  
Whaley—10.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Farris moved that the vote by which the bill was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton moved that the rules be suspended and that House bill No. 95 be taken up.

The motion prevailed.

House bill No. 95, entitled

An act entitled "An act to repeal sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336 of article

14, chapter 168 of the Revised Statutes, 1899, of Missouri, entitled "Roads, highways and bridges," and enact new sections in lieu thereof, to be known as sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Lee,        | Stubbs,    |
| Bradley,  | Farris,   | Marshall,   | Sullivan,  |
| Clay,     | Fields,   | Matthews,   | Thomas,    |
| Collins,  | Haynes,   | Morton,     | Walker,    |
| Costello, | Heather,  | Schoenlaub, | Zevely—22. |
| Dowell,   | Jewell,   |             |            |

## NAYS—Senators

Davison, Rollins—2.

## Absent with leave—Senators

|         |          |        |           |
|---------|----------|--------|-----------|
| Clarke, | Orchard, | Rubey, | Tandy,    |
| Martin, | Ramp,    | Smith, | Whaley—8. |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Jewell,     | Smith,     |
| Bradley,  | Drabelle, | Lee,        | Stubbs,    |
| Clay,     | Farris,   | Marshall,   | Sullivan,  |
| Collins,  | Fields,   | Matthews,   | Thomas,    |
| Costello, | Haynes,   | Morton,     | Walker,    |
| Davison,  | Heather,  | Schoenlaub, | Zevely—24. |

## NAY—Senator Rollins—1.

## Absent with leave—Senators

|         |          |        |           |
|---------|----------|--------|-----------|
| Clarke, | Orchard, | Rubey, | Whaley—7. |
| Martin, | Ramp,    | Tandy, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Costello moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Mr. Fields moved to lay that motion on the table.

The latter motion prevailed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 43, entitled

An act fixing the times of holding court in the Fifteenth judicial circuit and in the criminal court of the Fifteenth circuit of the State of Missouri;

Also, Senate bill No. 74, entitled

An act to amend section 6466 of article 19, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Public libraries and buildings,"

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the following report:

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred House bill No. 338, entitled

An act to repeal section 1793 of article 5, chapter 14, Revised Statutes of Missouri for 1899, and to enact a new section in lieu thereof, to be known as section 1793, relating to the duty of county courts to cause certain prisoners to be worked,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 294, entitled

An act to amend section 2764 of the Revised Statutes of Missouri, 1899, entitled "Criminal cases, practice and proceedings in;"

Also, Senate bill No. 225, entitled

An act to amend chapter 13, Revised Statutes of Missouri, 1899, entitled "Cost in civil cases," by adding a new section thereto, to be known as section 1543a, relating to cost bonds in civil cases;

Also, Senate bill No. 287, entitled

An act to repeal sections 1939 and 1940 of the Revised Statutes of 1899, providing penalties for defrauding a gas company and for altering a gas meter for a fraudulent purpose, and providing a new section in lieu thereof, applying such penalties to gas companies and, in addition, to electric light and power companies, to water companies, to steam companies, to refrigerating companies, and to all companies and persons furnishing a gas or liquid through pipes to consumers,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Fields called up Senate bill No. 266 and moved that the bill be ordered engrossed and printed.

The motion prevailed.

Senate bill No. 266, entitled

An act to amend section 4778, chapter 60, article 2 of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large;"

Was ordered engrossed and printed.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 5, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate Joint and Concurrent resolution No. 1, "submitting to the qualified voters of the State an amendment to the Constitution repealing sections 22 and 23 of article 10."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

On motion of Senator Matthews, the Senate adjourned until 10 a. m. tomorrow.

FORTY-SIXTH DAY—Wednesday, March 6, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed Senate bill No. 47, entitled

An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroads, or in consideration of donations to the corporation building or constructing such railroad;

Also, House bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other educational institutions during the years of 1901 and 1902;

In which the concurrence of the Senate is respectfully requested.

Which were read.

Senator Drabelle introduced Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or increasing the capital stock of a corporation;

Read first time and 150 copies ordered printed.

Senator Collins introduced Senate bill No. 329, entitled

An act to repeal sections 7420, 7421 of article 2, chapter 105 of the Revised Statutes of Missouri, entitled "State Fair fund;"

Read first time and 150 copies ordered printed.

Senator Haynes, from the Committee on Judiciary, submitted the ten following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 224, entitled

An act to provide for registration of land titles, the manner of issuing certificates therefor, the transfer and transmission of said titles; to provide for liens and levies on registered lands and on the estate and interest therein; to prescribe the proceedings to authorize said registration, the fees and penalties and provide an indemnity fund and proceedings to recover compensation for loss,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 235, entitled

An act to amend sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of 1899,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 216, entitled

An act to provide for recording mortgages or deeds of trust given by railway corporations,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 289, entitled

An act to amend section 278 of article 14, chapter 1, Revised Statutes, 1899, in relation to appeals,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred committee substitute for House bill No. 67, entitled

An act to amend section six thousand five hundred and sixty-six (6566) of article twenty-three (23), chapter ninety-one (91), Revised Statutes of Missouri, 1899, relating to juries in cities with over one hundred thousand inhabitants,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 112, entitled

An act to amend section three thousand seven hundred and ninety-one (3791), article I, chapter 42, Revised Statutes of Missouri, 1899, relating to juries,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 192, entitled

An act to amend chapter 14, article 5 of the Revised Statutes of Missouri, relating to courts of record, by adding a new section thereto, to be known as section 1809a, defining the duties of county courts in regard to officers handling public funds,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 64, entitled

An act to amend article 2, chapter 14 of the Revised Statutes by adding a new section, to be numbered 1649a, relating to the jurisdiction of the courts of appeal, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 353, entitled

An act to amend section 834, chapter 8 of article XI of the Revised Statutes of Missouri, relating to changes of venue, and pay of judge trying cause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 199, entitled

An act to amend section 6574 of the Revised Statutes of the State of Missouri of 1899, entitled "Official oath," etc., and pertaining to commissioners of deeds,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Whaley, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the three following reports:

Mr. President: Your Committee on Constitutional Amendments,

Federal Relations and Permanent Seat of Government, to which was referred House joint and concurrent resolution No. 13, entitled

Memorializing Congress to appropriate money for the opening, deepening and widening the channels of Little river and St. Francis river for drainage purposes,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred House joint and concurrent resolution No. 2, entitled

To amend section 8 of article 9 of the Constitution of the State of Missouri, pertaining to township organization,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred House joint and concurrent resolution No. 5, entitled .

Petitioning Congress to call convention proposing amendment to the Constitution to elect U. S. Senators by direct vote of the people,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Lee, from the Committee on Representative Apportionment and Redistricting the State, submitted the following report:

Mr. President: Your Committee on Redistricting and Apportionment, to which was referred House bill No. 65, entitled

An act to apportion the State of Missouri into representative districts and to provide for the representation thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Costello, from the Committee on University, Normal Schools, Agricultural College and School of Mines, submitted the following report:

Mr. President: Your Committee on University, Normal Schools, Agricultural College and School of Mines, to which was referred House bill No. 146, entitled

An act to amend section ten thousand and five hundred and eleven of the Revised Statutes of 1899, relating to the Board of Visitors of the State University,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submitted the seven following reports:

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred House bill No. 137, entitled

An act to regulate the practice of medicine, surgery and midwifery and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violations thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred House bill No. 417, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary, educational institutions and members of police and election boards from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 296, entitled

An act to amend section 5060, chapter 80 of the Revised Statutes of Missouri for 1899, entitled "Board of Charities,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 300, entitled

An act to amend section 7732, chapter 118, article 3 of the Revised Statutes of 1899, relating to institutions, eleemosynary,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 306, entitled

An act to provide for the payment of quarantine and pest camp expenses in case of epidemics,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Eleemosynary Institutions, to which was referred Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Haynes moved that the rules be suspended and that Senate bills Nos. 322 and 323 be taken up.

The motion prevailed.

On motion of Senator Haynes, Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines thereof, and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause,

Was ordered engrossed and printed.

Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "one hundred thousand," in the second and third lines of said section,

and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause,

Was ordered engrossed and printed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the two following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 342, entitled

An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 310, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri so as to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, Text-Books and Public Schools, to which was referred Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Begs leave to report that it has examined the same and recommends that it do pass with amendments 1 and 2:

Which was read.

Amendment No. 1 to Senate bill No. 320:

Amend Senate bill No. 320 by striking out the word "eight," out of the fourth line of said section, and inserting the word "six" in lieu thereof, and out of the third and fourth lines of the printed copy of said bill;

Read first and second times and agreed to.

Amendment No. 2 to Senate bill No. 320:

Amend Senate bill No. 320 by striking the word "six," out of the 11th line of the printed copy of said bill, and inserting the word "eight" in lieu thereof;

Read first and second times and agreed to.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, Text-Books and Public Schools, to which was referred House bill No. 51, entitled

An act to amend section 9865, chapter 154, article 2, Revised Statutes of Missouri, 1899, entitled "City, town and village schools," by adding a new section thereto, to be known as section 9865a,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Farris, from the Committee on Private Corporations, submitted the five following reports:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 20, entitled

An act to amend sections 1313 and 1314 of Revised Statutes of Missouri of 1899, so as to require directors or managers to make oath to their statements for articles of incorporation, and providing for the original sworn statement to be filed with the Secretary of State,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill 97, entitled

An act to amend chapter 12, article 9 of Revised Statutes of Missouri of 1899, entitled "Corporations, private," by adding a new section thereto to be known as section 1314a,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 98, entitled

An act to require foreign corporations not subject to prosecution in this State for making false affidavits, for securing certificates of incorporation, to pay an annual tax,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 183, entitled

An act to repeal section 4372, of chapter 52, Revised Statutes of Missouri of 1899, relating to mortgages and deeds of trust,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 209, entitled

An act entitled an act to amend section 973, article 1, chapter 12, Revised Statutes of Missouri of 1899, entitled "Corporations, private,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 299, entitled

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties and for the making of a report of the work thereof,

Begs leave to report that it has examined the same and recommends that the accompanying substitute do pass;

Which was read.

Committee substitute to Senate bill No. 299, entitled

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof, and to provide for the appointment of said commission and the powers and duties, and for the making of a report of the work thereof,

Was read first and second times and adopted.

Senator Rubey moved that the rules be suspended and that Committee substitute for Senate bill No. 299, be ordered engrossed and printed.

The motion prevailed.

Committee substitute to Senate bill No. 299, entitled

An act to create an commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof, and to provide for the appointment of said commission and the powers and duties, and for the making of a report of the work thereof,

Was ordered engrossed and printed.

Senator Drabell, from the Committee on Municipal Corporations, submitted the four following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred Committee substitute for House bills Nos. 254 and 258, entitled

An act to repeal sections 5898 and 5907 of article 5, chapter 91 of Revised Statutes of Missouri of 1899, and to enact two new sections in lieu thereof, with an emergency clause, relating to cities of the fourth class,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 160, entitled

An act creating a board of public works in cities of the second class, prescribing its powers and duties, and repealing all acts or parts of acts inconsistent herewith,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 163, entitled

An act to amend article 3 of chapter 91 of Revised Statutes, 1899, and entitled "Cities, towns and villages," by repealing sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5535, and enacting in lieu thereof new sections, to be known as sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5535.

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Municipal Corporations, to which was referred committee substitute for House bill No. 158, entitled

An act repealing sections 5537, 5538 and 5548 of the Revised Statutes of Missouri, 1899, relating to the city officers in cities of the second class and enacting new sections in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Haynes moved that the rules be suspended and that committee substitutes to House bills Nos. 158, 160, and also, substitute for committee substitute for House bill No. 163 be taken up.

The motion prevailed.

Committee substitute to House bill No. 158, entitled

An act repealing sections 5537, 5538 and 5548 of the Revised Statutes of Missouri, 1899, relating to the city officers in cities of the second class, and enacting new sections in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clay,     | Fields,   | Ramp,       | Sullivan,  |
| Collins,  | Haynes,   | Rollins,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Walker,    |
| Davissou, | Jewell,   | Schoenlaub, | Whaley,    |
| Dowell,   | Lee,      | Smith,      | Zevely—26. |
| Drabelle. | Marshall, |             |            |

NAYS—None.

Absent with leave—Senators

|         |         |         |            |
|---------|---------|---------|------------|
| Biggs,  | Martin, | Morton, | Orchard—5. |
| Clarke, |         |         |            |

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Stubbs,    |
| Bradley,  | Farris,   | Matthews,   | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Thomas,    |
| Collins,  | Haynes,   | Rollins,    | Walker,    |
| Costello, | Heather,  | Rubey,      | Whaley,    |
| Davissou, | Jewell,   | Schoenlaub, | Zevely—27. |
| Dowell,   | Lee,      | Smith,      |            |

NAYS—None.

Absent with leave—Senators

|         |         |         |            |
|---------|---------|---------|------------|
| Clarke, | Martin, | Morton, | Orchard—4. |
|---------|---------|---------|------------|

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title to the bill was read.

Senator Haynes offered the following amendment:

Senate amendment No. 1 to committee substitute for House bill No. 158:

Amend committee substitute for House bill No. 158 by adding thereto "with an emergency clause:"

Read first and second times and agreed to.

The title, as amended, was read and agreed to.

Senator Haynes moved that the vote by which the bill and the emergency clause passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for House bill No. 160 was taken up, and Senator Haynes offered the following amendments:

Amendment No. 1 to committee substitute for House bill No. 160:

Amend committee substitute for House bill No. 160 by striking out all of section 2 and inserting in lieu thereof the following:

Sec. 2. At the city election held in 1901 there shall be elected three members of said board to serve for one year. At the city election to be held in 1902, three members of said board shall be elected for four years, and three members of said board shall be elected every four years thereafter, to hold for a term of four years. No elective member of such board shall hold any other municipal office, or any State, county Federal office during his membership on said board. Any of said members may be removed for cause as other city officers may be removed, and vacancies in said board shall be filled as vacancies in other city offices are filled. Said elective members shall receive a salary of six hundred dollars (\$600.00) per annum, to be paid monthly by the city in which said board is created, but the city engineer shall receive no compensation for his services as a member of said board:

Read first and second times and agreed to.

Amendment No. 2 to committee substitute for House bill No.

160:

Amend section 4 of committee substitute for House bill No. 160 by striking out the word "three," in the third line of section 4 of printed bill, and insert in lieu thereof the word "two;"

Read first and second times and agreed to.

Amendment No. 3 to committee substitute for House bill No.

160:

Amend section 12 of committee substitute for House bill No. 160 by striking out the word "contemplated," in line one of section 12 of printed bill, and insert in lieu thereof the word "completed;"

Read first and second times and agreed to.

Amendment No. 4 to Committee substitute for House bill No.

160:

Amend section 15 of committee substitute for House bill No. 160 by striking out the words "one hundred," in the seventh line of section 15 of printed bill, and insert in lieu thereof the word "eighty," and by striking out the figures "\$100,000," in the eighth line of section 15 in printed bill, and insert therefor the figures "\$80.00;"

Read first and second times and agreed to.

Committee substitute for House bill No. 160, as amended, entitled

An act creating a board of public works in cities of the second class, prescribing its powers and duties and repealing all acts or parts of acts inconsistent herewith,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,

Lee,  
Martin,  
Morton,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith,

Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley,  
Zevely—27.

NAYS—None.

Absent with leave—Senators

Marshall,

Matthews,

Orchard,

Ramp—4.

Sick—Senators

Cooper,

Tandy—2.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,

Marshall,  
Matthews,  
Morton,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley,  
Zevely—28.

NAYS—None.

Absent with leave—Senators

Clarke,

Martin,

Orchard—3.

Sick—Senators

Cooper,

Tandy—2.

The title to the bill was read.

Senator Haynes offered the following amendment:

Senate amendment of committee substitute for House bill No.

160:

Amend title to substitute for House bill No. 160 by adding thereto "with an emergency clause;"

Read first and second times and agreed to.

The title, as amended, was read and agreed to.

Senator Haynes moved that the vote by which committee substitute for House bill No. 160 and the emergency clause passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Substitute for committee substitute for House bill No. 163 was taken up.

Senator Haynes offered the following amendments to the bill:

Senate amendment No. 1 to substitute for committee substitute for House bill No. 163:

Amend by inserting between the section numbers 5519 and 5534, in line 5 of printed bill, the figures "5522;" also, by inserting between section numbers 5519 and 5534, in line 8 of printed bill, the figures "5522;"

Read first and second times and agreed to.

Senate amendment No. 2 to substitute for committee substitute for House bill No. 163:

Amend the printed bill by striking out the figures "\$200" and the words "per annum," in the forty-ninth line, and insert in lieu thereof the following figures and words: "\$300.00 per annum, until the annual city election held in 1902, after which time the aggregate sum paid any member shall not exceed \$200 per annum;"

Read first and second times and agreed to.

Amendment No. 3 to substitute for committee substitute for House bill No. 163:

Amend printed bill by inserting between sections 5519 and 5534 a section, to be known as section 5522, to read as follows:

Section 5522. Mayor Pro Tem. The president of the council shall exercise the duties and receive the compensation of mayor, whenever and so long as from any cause said office of mayor shall be vacant or the mayor be absent from the city;

Read first and second times and agreed to.

Senate amendment No. 4 to substitute for committee substitute for House bill No. 163:

Amend by striking out section 2, on page 9 of printed bill, and inserting in lieu thereof the following:

Section 2. Wherever the words "Common council" appear in article 3, chapter 91 of the Revised Statutes, 1899, in relation to cities of the second class, the same shall be taken and held to mean municipal assembly, as the same is herein created and constituted. Sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5522, 5534, 5539, of the Revised Statutes of 1899 are hereby repealed and all laws, acts, or parts of acts and all ordinances of any city in conflict herewith are hereby repealed;

Read first and second times and agreed to.

Substitute for committee substitute for House bill No. 160, as amended, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539, and enacting in lieu thereof new sections, to be known as 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Stubbs,    |
| Bradley,  | Farris,   | Martin,     | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Thomas,    |
| Collins,  | Haynes,   | Rubey,      | Walker,    |
| Costello, | Heather,  | Schoenlaub, | Whaley,    |
| Davison,  | Jewell,   | Smith,      | Zevely—26. |
| Dowell,   | Lee,      |             |            |

## NAYS—None.

## Absent with leave—Senators

|           |         |          |            |
|-----------|---------|----------|------------|
| Clarke,   | Morton, | Orchard, | Rollins—5. |
| Matthews, |         |          |            |

## Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Stubbs,    |
| Bradley,  | Farris,   | Ramp,       | Sullivan,  |
| Clay,     | Fields,   | Rollins,    | Thomas,    |
| Collins,  | Haynes,   | Rubey,      | Walker,    |
| Costello, | Heather,  | Schoenlaub, | Whaley,    |
| Davison,  | Jewell,   | Smith,      | Zevely—25. |
| Dowell,   |           |             |            |

## NAYS—None.

## Absent with leave—Senators

|         |           |         |            |
|---------|-----------|---------|------------|
| Clarke, | Marshall, | Morton, | Orchard—6. |
| Lee,    | Matthews, |         |            |

## Sick—Senators:

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title to the bill was read.

Senator Haynes offered the following amendment:

Amend title to substitute for committee substitute for House bill No. 163 by inserting between section numbers 5519 and 5534, in lines 4 and 7; the figures "5522;" also by adding thereto at the end of title the words "with an emergency clause;"

Read first and second times and agreed to.

Title, as amended, was read and agreed to.

Senator Haynes moved that the vote by which substitute for committee substitute for House bill No. 163, as amended, was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," of chapter 14 of Revised Statutes of Missouri, 1899,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

House bill No. 74, entitled

An act to amend section 2627 of article 7 of chapter 16 of Revised Statutes of the State of Missouri of 1899, entitled "Practice and proceedings in criminal cases,"

Was taken up and read first time.

House bill No. 324, entitled

An act to amend article 5 of chapter 91 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section No. 6003a,

Was taken up and read first time.

House bill No. 375, entitled

An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities of ten thousand population or more and to prohibit the employment of children during school hours,

Was taken up and read first time.

House joint and concurrent resolution No. 1, entitled

Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, providing for the reservation to the people the right to propose measures for enactment, and to require enactments of the General Assembly to be submitted to a vote of the people for ratification,

Was taken up and read first time.

Committee substitute for House bill No. 48, entitled

An act to amend chapter 15, article 2, Revised Statutes of the State of Missouri, entitled "Crimes and punishments," by enacting a new section,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 211, entitled

An act to amend sections 3839 and 3843 of article 2, chapter 43 of Revised Statutes of Missouri of 1899, entitled "Justice's courts,"

Was taken up, read second time, and referred to Committee on County Courts and Justices of Peace.

House bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 277, entitled

An act to repeal the article beginning on page 2585 and ending on page 2589 of volume 2, Revised Statutes of Missouri, 1899, entitled "Sturgeon Court of Common Pleas," and to abolish said court and transfer all records and papers of said court to the clerk of the circuit court of Boone county,

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs.

House bill No. 349, entitled

An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies,

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

House bill No. 390, entitled

An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled "Roads and highways," and enacting three new sections in lieu thereof, and to be known as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows,

Was taken up, read second time, and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

House bill No. 483, entitled

An act to amend article 2 of chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections, by adding thereto a new section, to be known as section 7084a,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

House joint and concurrent resolution No. 24, entitled

Joint resolution asking Congress to donate all the government lands in Missouri to the State for public school purposes,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have, or that may hereafter have, three hundred thousand inhabitants or more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clay,     | Fields,   | Morton,     | Thomas,    |
| Collins,  | Haynes,   | Ramp,       | Walker,    |
| Costello, | Heather,  | Rollins,    | Whaley,    |
| Davison,  | Jewell,   | Schoenlaub, | Zevely—26. |
| Dowell,   | Lee,      |             |            |

NAYS—None.

Absent with leave—Senators

|         |          |        |             |
|---------|----------|--------|-------------|
| Clarke, | Orchard, | Rubey, | Sullivan—5. |
| Martin, |          |        |             |

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Smith,     |
| Bradley,  | Farris,   | Martin,     | Stubbs,    |
| Clay,     | Fields,   | Morton,     | Thomas,    |
| Collins,  | Haynes,   | Ramp,       | Walker,    |
| Costello, | Heather,  | Rollins,    | Whaley,    |
| Davison,  | Jewell,   | Schoenlaub, | Zevely—26. |
| Dowell,   | Lee,      |             |            |

NAY—Senator Sullivan—1.

Absent with leave—Senators

|         |           |          |          |
|---------|-----------|----------|----------|
| Clarke, | Matthews, | Orchard, | Rubey—4. |
|---------|-----------|----------|----------|

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title of the bill read and agreed to.

Senator Drabelle moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

The President called President Pro tem. Farris to the chair.

Senate bill No. 275, entitled

An act to amend section 3020 of the Revised Statutes of Missouri of 1899, relating to granting dramshop licenses in cities of two hundred thousand inhabitants or over, by authorizing the transfer of said licenses, and by adding a new section to said act, to be known as section 3026a;

Was read third time and failed to pass by the following vote:

YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Bradley,  | Farris,  | Jewell,   | Schoenlaub, |
| Collins,  | Fields,  | Marshall, | Smith,      |
| Costello, | Haynes,  | Matthews, | Thomas,     |
| Drabelle, | Heather, | Morton,   | Whaley—16.  |

NAYS—Senators

|         |           |         |            |
|---------|-----------|---------|------------|
| Biggs,  | Davisson, | Martin, | Sullivan,  |
| Clarke, | Dowell,   | Ramp,   | Walker,    |
| Clay,   | Lee,      | Stubbs, | Zevely—12. |

Absent with leave—Senators

|          |          |          |
|----------|----------|----------|
| Orchard, | Rollins, | Rubey—3. |
|----------|----------|----------|

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Senate joint and concurrent resolution No. 10, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri;

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Stubbs.    |
| Bradley,  | Drabelle, | Morton,     | Sullivan,  |
| Clarke,   | Fields,   | Ramp,       | Thomas,    |
| Clay,     | Haynes,   | Rollins,    | Walker,    |
| Collins,  | Heather,  | Rubey,      | Whaley,    |
| Costello, | Jewell,   | Schoenlaub, | Zevely—26. |
| Davisson, | Marshall, |             |            |

NAY—Senator Farris—1.

Absent with leave—Senators

|      |           |          |          |
|------|-----------|----------|----------|
| Lee, | Matthews, | Orchard, | Smith—4. |
|------|-----------|----------|----------|

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title read and agreed to.

Senator Drabelle moved that the vote by which the resolution was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate Joint and Concurrent Resolution No. 12, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Drabelle, | Marshall,   | Stubbs,    |
| Bradley, | Farris,   | Morton,     | Thomas,    |
| Clarke,  | Fields,   | Rollins,    | Walker,    |
| Clay,    | Haynes,   | Rubey,      | Whaley,    |
| Collins, | Heather,  | Schoenlaub, | Zevely—23. |
| Dowell,  | Lee,      | Smith,      |            |

NAY—Senator Sullivan—1.

Absent with leave—Senators

|           |         |           |         |
|-----------|---------|-----------|---------|
| Costello, | Jewell, | Matthews, | Ramp—7. |
| Davison,  | Martin, | Orchard,  |         |

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title read and agreed to.

Senator Drabelle moved that the vote by which the resolution was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senate Joint and Concurrent Resolution No. 8, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|           |           |
|-----------|-----------|
| Biggs,    | Drabelle, |
| Bradley,  | Farris,   |
| Clarke,   | Fields,   |
| Clay,     | Haynes,   |
| Collins,  | Heather,  |
| Davissou, | Lee,      |
| Dowell,   |           |

|             |            |
|-------------|------------|
| Matthews,   | Smith,     |
| Morton,     | Stubbs,    |
| Ramp,       | Thomas,    |
| Rollins,    | Walker,    |
| Rubey,      | Whaley,    |
| Schoenlaub, | Zevely—25. |

NAY—Senator Sullivan—1.

Absent with leave—Senators

|           |           |
|-----------|-----------|
| Costello, | Marshall, |
| Jewell,   |           |

|         |            |
|---------|------------|
| Martin, | Orchard—5. |
|---------|------------|

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title read and agreed to.

Senator Drabelle moved that the vote by which the resolution was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senator Schoenlaub, from the Committee on Life Insurance, submitted the following report:

Mr. President: Your Committee on Life Insurance, to which was referred Senate bill No. 291, entitled

An act to amend article 4 of chapter 119, Revised Statutes of Missouri, 1899, entitled "Insurance on the stipulated premium plan," by adding a new section thereto, to be known as section 7930a,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senate Joint and Concurrent Resolution No. 9, entitled

Joint and concurrent resolution, submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article IX, and enacting a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |
|-----------|-----------|
| Biggs,    | Dowell,   |
| Bradley,  | Drabelle, |
| Clarke,   | Farris,   |
| Collins,  | Haynes,   |
| Costello, | Heather,  |
| Davissou, | Jewell,   |

|             |            |
|-------------|------------|
| Marshall,   | Stubbs,    |
| Martin,     | Thomas,    |
| Rubey,      | Walker,    |
| Schoenlaub, | Whaley,    |
| Smith,      | Zevely—22. |

NAY—Senator Sullivan—1.

Absent with leave—Senators

|         |           |
|---------|-----------|
| Clay,   | Lee,      |
| Fields, | Matthews, |

|          |            |
|----------|------------|
| Morton,  | Ramp,      |
| Orchard, | Rollins—8. |

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

Title read and agreed to.

Senator Drabell moved that the vote by which the resolution was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

The two following communications were received from the House of Representatives through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 528, entitled

An act providing for a Board of Commissioners to the Pan-American Exposition at Buffalo, New York, and the South Carolina Interstate and West Indian Exposition at Charleston, prescribing their powers and duties and appropriating money therefor, with an emergency clause;

Also, House bill No. 489, entitled

An act creating a freight schedule commission and providing for their appointment and compensation;

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Thomas, from the Committee on Education, Text-Books, and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, Text-Books and Public Schools, to which was referred Senate bill No. 321, entitled

An act to amend section 9831, chapter 154, article 1 of the Revised Statutes of 1899, relating to schools,

Begs leave to report that it has examined the same and recommends that it do pass with amendment No. 1;

Which was read.

Amendment No. 1 to Senate bill No. 321:

Amend Senate bill No. 321, by striking the word "six" out of the 4th and 12th lines of the printed copy of said bill, and inserting the word "eight" in lieu thereof;

Read first and second times and agreed to.

Senator Fields, from the Committee on Fire, Marine and Tornado Insurance, submitted the following report:

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 312, entitled

An act to amend section 1423, chapter XII, article II of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Clay, from the Committee on Labor, Mines and Mining, submitted the four following reports:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred Senate bill No. 180, entitled

An act to provide for the regulation of the employment of convicts sentenced to imprisonment in the penitentiary, and to regulate the disposition of products of such convict labor,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred House bill No. 366, entitled

An act to repeal section 8799, chapter 133, article 2 of the Revised Statutes of Missouri, 1899, relating to the safety and inspection of mines, and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred House bill No. 122, entitled

An act to amend chapter 110, Revised Statutes of 1899, by adding a new section thereto, known as section 7503b, relating to geology and mineralogy. New section as to duties of State Geologist,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred House bill No. 173, entitled

An act to repeal section 8828, chapter 133, article 2 of the Revised Statutes of 1899, of the State of Missouri, relating to safety and inspection of mines, and to enact a new section in lieu thereof, relating to safety and inspection of mines,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendment No. 1;

Which were read.

Senate Amendment No. 1 to House bill No. 173:

Amend House bill No. 173 by striking out the word "two," in line nine, and insert in lieu thereof the word "one;"

Read first and second times and agreed to.

At the request of the author, Senator Clay moved that Senate bill No. 180 be indefinitely postponed.

The motion prevailed.

Senator Farris moved that the rules be suspended and that House bills Nos. 528, 593 and 489 be taken up.

The motion prevailed.

House bill No. 528, entitled

An act providing for a Board of Commissioners to Pan-American Exposition at Buffalo, New York, and the South Carolina Interstate and West Indian Exposition at Charleston, prescribing their powers and duties and appropriating money therefor, with an emergency clause,

Was taken up and read first time.

House bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other education institutions during the years 1901 and 1902,

Was taken up and read first time.

House bill No. 489, entitled

An act creating a freight schedule commission and providing for their appointment and compensation.

Was taken up, and read first time.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribe his duties, providing for his appointment and abolishing the office of Chief Clerk in the office of Attorney-General,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

On motion of Senator Thomas, the rules were suspended and Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment and abolishing the office of Chief Clerk in the office of the Attorney-General,

Was taken up and ordered engrossed and printed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills to which was referred Senate bill No. 232, entitled

An act relating to propagation and preservation of game animals, birds and fish,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Walker moved that Senate take a recess until 1:30 p. m.

Senator Heather moved to amend motion by inserting 2 p. m. in place of 1:30 p. m.

Amendment agreed to.

Senate took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

The hour of recess having expired, the President called the Senate to order at 2 p. m.

Senator Whaley introduced Senate bill No. 330, entitled

An act providing for clearing obstructions from and improving the water-flow of the Marias des Cygnes river, construct levies, dams, ditches and water channels for such purposes, in the State of Missouri, viding for the payment of such work;

Read first time and 150 copies ordered printed.

Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right-of-way for railroad purposes over the land belonging to the State of Missouri for the use of said asylum,

Was read third time, placed upon its passage, and passed by the following vote:

### YEAS—Senators,

|           |           |
|-----------|-----------|
| Biggs,    | Dowell,   |
| Bradley,  | Drabelle, |
| Clay,     | Farris,   |
| Collins,  | Fields,   |
| Costello, | Haynes,   |
| Davison,  | Jewell,   |

|             |
|-------------|
| Lee,        |
| Marshall,   |
| Martin,     |
| Matthews,   |
| Ramp,       |
| Schoenlaub, |

|           |
|-----------|
| Smith,    |
| Stubbs,   |
| Sullivan, |
| Thomas,   |
| Walker,   |
| Whaley—   |

NAYS—None.

## Absent with leave—Senators

Clarke,  
Heather,Morton,  
Orchard,Rollins,  
Rubey,Tandy,  
Zevely—8.

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Davisson,  
Dowell,Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,Lee,  
Marshall,  
Matthews,  
Ramp,  
Schoenlaub,  
Smith,Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley—23.

## NAYS—None.

## Absent with leave—Senators

Clarke,  
Costello,  
Martin,Morton,  
Orchard,Rollins,  
Rubey,Tandy,  
Zevely—9.

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Clay moved that the vote by which Senate bill No. 290, together with the emergency clause, was passed, be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senator Lee, from the Committee of Representative Apportionment, and Redistricting the State, submitted the following report:

Mr. President: Your Committee on Redistricting and Apportionment, to which was referred House bill No. 561, entitled

An act to redistrict the State into judicial circuits and to fix the terms of court therein, and creating a new circuit and providing for the appointment of a judge therein,

Begs leave to report that it has examined the same and recommends that it do pass, with amendments herewith submitted;

Which was read.

Senate Amendment No. 1 to House bill No. 561:

Amend section 1716, House bill 561, by striking out the words "there is hereby established and created a judicial circuit to be called," in the first and second lines of said section, and the word "which," after the word "Missouri," in the third line thereof, so that said section, as amended, shall read as follows:

Section 1716. The Thirtieth judicial circuit of the State of Missouri shall consist of the county of Pettis;

Read first and second times and agreed to.

Amendment No. 2 to House bill No. 561:

Amend section 1740 by striking out said section and inserting in lieu thereof the following:

Section 1740. Circuit courts in the Twenty-second judicial circuit shall be held in the county of Dunklin on the first Monday in May and the second Monday in November; in the county of Stoddard, on the first Monday in March and the second Monday in September; in the county of Butler, on the first Mondays in February, June and October; in the county of Ripley, on the first Mondays in April and November;

Read first and second times and agreed to.

Amendment No. 3 to House bill No. 561:

Amend section 1752 by adding after the word "repealed," in the second line thereof, the following: "Provided nothing in this act shall be so construed as to repeal, alter or modify the terms of an act approved March 5, 1897, entitled 'An act providing for holding two terms of the Lewis County Circuit Court at the town of Canton in said county and prescribing the jurisdiction thereof,'" so that the said section, as amended, shall read as follows:

Section 1752. All acts and parts of acts inconsistent with or in conflict with this act are hereby repealed. Provided, nothing in this act shall be so construed as to repeal, alter or modify the terms of an act approved March 5th, 1897, entitled "An act providing for holding two terms of the Lewis County Circuit Court at the town of Canton in said county and prescribing the jurisdiction thereof."

Read first and second times and agreed to.

Amendment No. 4 to House bill No. 561:

Amend House bill No. 561, section 1719, by inserting after the word "Lewis," in second line of section, and before the word "on," the following: "At Monticello;" and between the words "September" and "in," in second line, the words "at Canton on the third Mondays of March and September," so that said section, as amended, shall read as follows:

Section 1719. In the First Judicial Circuit.—In the county of Lewis at Monticello on the first Mondays in March and September; at Canton on the third Mondays of March and September; in the county of Clark, on the first Monday of April and the second Monday of October; in the county of Scotland on the first Mondays in February and August; in the county of Knox, on the first Mondays in June and December.

Read first and second times and agreed to.

Amendment No. 5 to House bill No. 561:

Amend section 1742 by striking out the words "first Monday in January and June," in the second line thereof, and inserting in lieu thereof the words "second Monday in January and first Monday in August."

Section 1742. In the Twenty-fourth Judicial Circuit.—In the county of McDonald, on the second Monday in January and first Monday in August; in the county of Lawrence on the second Monday in March and the first Monday in July and on the second Monday in November; in the county of Barry, on the second Monday in February and the first Monday in September; in the county of Newton on the third Monday in April and on the first Monday in October.

Read first and second times and agreed to.

Amendment No. 6 to House bill No. 561:

Amend House bill No. 561 by striking out the words "second Monday in February and first Monday in September," in lines 2 and 3 (printed bill) of section 1746, and inserting in lieu thereof the words, "third Monday in February, second Monday in June and third Monday in November," so that said section, as amended, will read as follows:

Section 1746. In the Twenty-eighth Judicial Circuit.—In the county of Pemiscot on the third Monday in February, second Monday in June and third Monday in November; in the county of New Madrid on the third Mondays of March and September; in the county of Mississippi on the first Mondays in April and October; in the county of Scott on the third Mondays in April and October; in the county of Cape Girardeau on the first Mondays in January and May and the third Monday in August.

Read first and second times and agreed to.

Amendment No. 7 to House bill No. 561:

Amend section 1733 of House bill No. 561 by adding after the word "September," in the sixth line of said section of the printed bill, the following: "Criminal court shall be held in the said Fifteenth judicial circuit as follows: In the county of Saline on the second Mondays in March, July and November, and in the county of Lafayette at Lexington on the second Mondays in February, June and October;"

Read first and second times and agreed to.

Senator Lee moved that the rules be suspended and that House bill No. 561 be taken up.

The motion prevailed.

House bill No. 561, entitled

An act to redistrict the State into judicial circuits and to fix the terms of courts therein, creating a new circuit and providing for appointment of a judge therein,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Stubbs,    |
| Bradley,  | Farris,   | Matthews,   | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Thomas,    |
| Collins,  | Haynes,   | Rubey,      | Walker,    |
| Costello, | Heather,  | Schoenlaub, | Whaley—23. |
| Dowell,   | Lee,      | Smith,      |            |

## NAY—Senator Davison—1.

## Absent with leave—Senators

|         |         |          |           |
|---------|---------|----------|-----------|
| Clarke, | Martin, | Orchard, | Tandy,    |
| Jewell, | Morton, | Rollins, | Zevely—8. |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Lee moved that the vote by which House bill No. 561 was passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

Senator Marshall, from the Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains, submitted the following report:

Mr. President: Your Committee on Township Organization, Swamp Lands, Ditches and Drains, to which was referred House bill No. 456, entitled

An act to amend section 8197, article 3, chapter 122, Revised Statutes, 1899, entitled "Swamp and overflowed lands," by adding a proviso to said section, the purpose of which is to quiet swamp land titles,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Marshall moved that the rules be suspended and that House bill No. 456 be taken up.

The motion prevailed.

House bill No. 456, entitled

An act to amend section 8197 of article 3 of chapter 122 of Revised Statutes of Missouri of 1899, entitled "Swamp and overflowed lands," by adding a proviso to said section, the purpose of which is to quiet swamp land titles,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Lee,        | Smith,     |
| Bradley,  | Drabelle, | Marshall,   | Stubbs,    |
| Clay,     | Farris,   | Matthews,   | Thomas,    |
| Collins,  | Fields,   | Ramp,       | Walker,    |
| Costello, | Haynes,   | Rollins,    | Whaley—23. |
| Davison,  | Heather,  | Schoenlaub, |            |

## NAY—Senator Sullivan—1.

## Absent with leave—Senators

|         |         |          |           |
|---------|---------|----------|-----------|
| Clarke, | Martin, | Orchard, | Tandy,    |
| Jewell, | Morton, | Rubey,   | Zevely—8. |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Haynes moved that the vote by which House bill No. 456 passed be reconsidered.

Senator Marshall moved to lay that motion on the table.

The latter motion prevailed.

Senator Whaley called up Senate bill No. 2, and moved that the Senate concur in House amendment No. 1, as follows:

Amend Senate bill No. 2 by striking out all after the enacting clause and inserting in lieu thereof the following words:

Section 1. That section 5157, article 1, chapter 83, Revised Statutes of 1899, be and the same is hereby repealed and the following three new sections enacted in lieu thereof, to be known as sections 5157, 5157a and 5157b:

Sec. 5157. The various counties in this State for themselves, as well as in behalf of any township or parts of townships for which said counties may have heretofore issued any bonds, and the several cities, villages, incorporated towns and school districts are hereby authorized by their respective county courts, and said cities, villages and incorporated towns by their proper authorities, and the said school districts by their respective school boards, to fund any part or all of their bonded or judgment indebtedness, including bonds, coupons or any judgment, whether based on bonded or other indebtedness at a lower rate of interest, and for that purpose may make, issue, negotiate, sell and deliver renewal or funding bonds and with the proceeds thereof pay off, redeem and cancel such judgments, or old bonds as the same are called for redemption: Provided, that said funding bonds shall not be sold for less than par value thereof and that in no case shall the amount of the debt of any such county, township, or parts of townships, or city, village, incorporated town or school district, nor the rate of interest on such debt, be increased or enlarged under the provisions of this chapter; and provided also, that no funding bonds issued under this chapter shall be payable in less than five nor more than thirty years from the date thereof, and that such funding bonds shall be of the denomination of not more than one thousand dollars (\$1,000) nor less than one hundred dollars (\$100) and shall bear interest not to exceed five per cent. (5%) per annum, payable annually or semi-annually, and to this end each bond shall have annexed an interest coupon, and the funding bonds and coupons shall be made payable to bearer: Provided, further, that nothing in this act shall be so construed as prohibiting any county, city, township or school district, that now has or may hereafter have a bonded or judgment debt (except as hereinafter provided) from funding or refunding such debt without the submission of the question to a popular vote whenever such funding or refunding can be done at a lower rate of interest than the debts so funded or refunded bore: Provided, however, that no indebtedness, judgment or claim founded on bonds or coupons issued in the aid of or in payment for the capital stock of any railroad company shall be funded, nor shall any bonds be issued in lieu thereof or in compromise therefor until authorized by a majority of the qualified voters of such county, city, township or parts of townships voting at an election held for that purpose pursuant to an order entered of record by the county court of such county or council or aldermen of such city on petition of at least fifty (50) of the resident tax-payers of such county, city or township, after public notice by advertisement in some weekly newspaper printed and published in such county or city, if there be such paper, and if not then in such paper nearest to such county or city, setting forth the object of the election for four weeks, and in addition posting up ten written or printed handbills in public places in such county or city, before the time for such proposition to fund its said indebtedness shall be voted on, which said notice shall contain the object and general nature of the proposition to fund said indebtedness. The election herein provided for shall be held in conformity with the statutes of the State covering State, county or municipal elections. And when such indebtedness has been once compromised and funded, the funding bonds issued in lieu thereof may again be refunded according to the other provisions of this article without such election.

Sec. 5157a. When the proposition to fund any part or all of the bonded indebtedness of any county, city, township or parts of townships shall require the assent of the voters thereto and said proposition shall be submitted to the qualified voters of such county, city, township or parts of townships, those who favor the proposition to fund such indebtedness may at any election held aforesaid deposit a written or printed ballot in this form: "To fund bonded indebtedness—Yes;" and those of the qualified voters at such election who oppose the proposition to fund such indebtedness may deposit a written or printed ballot in this form. "To fund bonded indebtedness—No;" and the votes of such proposition shall be taken and the returns thereof made and canvassed in all respects as is or may be provided by law for the election and return of State, county, city or township officers.

Sec. 5157b. If at the election aforesaid a majority of the qualified voters of such county, city, township or parts of townships, voting at such election shall vote in favor of funding any part or all of such indebtedness, then the county court of such county, or by the authorities of such city, township or townships shall be fully authorized and empowered to proceed at once to fund any part or all its indebtedness in conformity with the provisions of this chapter, and for that purpose may employ a financial agent to assist them.

Read first and second times and concurred in by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Stubbs,    |
| Bradley,  | Drabelle, | Ramp,       | Sullivan,  |
| Clay,     | Farris,   | Rollins,    | Thomas,    |
| Collins,  | Fields,   | Schoenlaub, | Walker,    |
| Costello, | Lee,      | Smith,      | Whaley—21. |
| Davisson, |           |             |            |

NAYS—None.

Absent with leave—Senators

|          |           |          |            |
|----------|-----------|----------|------------|
| Clarke,  | Jewell,   | Morton,  | Tandy,     |
| Haynes,  | Marshall, | Orchard, | Zevely—11. |
| Heather, | Marin,    | Ruby,    |            |

Sick—Senator Cooper—1.

Senator Whaley moved that Senate concur in House amendment No. 2 to Senate bill No. 2, as follows:

Amend the title to Senate bill No. 2 by striking out all after the word "amend," in the first line of the title, and inserting in lieu thereof the following: "chapter 83 of the Revised Statutes of 1899, by repealing section 5157, and enacting three new sections in lieu thereof, to be known as sections 5157, 5157a, 5157b, relating to municipal bonds and refunding of municipal indebtedness,"

Read first and second times and concurred in by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Jewell,     | Smith,     |
| Bradley,  | Drabelle, | Lee,        | Stubbs,    |
| Clay,     | Farris,   | Matthews,   | Sullivan,  |
| Collins,  | Fields,   | Rollins,    | Thomas,    |
| Costello, | Haynes,   | Rubey,      | Walker,    |
| Davisson, | Heather,  | Schoenlaub, | Whaley—24. |

## NAYS—None.

## Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Clarke,   | Martin, | Orchard, | Tandy,    |
| Marshall, | Morton, | Ramp,    | Zevely—8. |

## Sick—Senator Cooper—1.

Senate bill No. 2, as amended, entitled

An act to amend section 5157 of article one of chapter 83, Revised Statutes of Missouri of 1899, in relation to funding county, township, school district and other bonds,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Lee,        | Stubbs,    |
| Bradley,  | Drabelle, | Ramp,       | Sullivan,  |
| Clay,     | Farris,   | Rollins,    | Thomas,    |
| Collins,  | Fields,   | Rubey,      | Walker,    |
| Costello, | Heather,  | Schoenlaub, | Whaley—23. |
| Davisson, | Jewell,   | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |          |           |
|-----------|-----------|----------|-----------|
| Clarke,   | Martin,   | Morton,  | Tandy,    |
| Haynes,   | Matthews, | Orchard, | Zevely—9. |
| Marshall, |           |          |           |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Whaley moved that the vote by which Senate bill No. 2 was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Jewell,     | Smith,     |
| Bradley,  | Drabelle, | Matthews,   | Stubbs,    |
| Clay,     | Farris,   | Ramp,       | Thomas,    |
| Collins,  | Fields,   | Rollins,    | Walker,    |
| Costello, | Haynes,   | Rubey,      | Whaley—23. |
| Davisson, | Heather,  | Schoenlaub, |            |

## NAY—Senator Sullivan—1.

Absent with leave—Senators

|                 |                      |                     |                     |
|-----------------|----------------------|---------------------|---------------------|
| Clarke,<br>Lee, | Marshall,<br>Martin, | Morton,<br>Orchard, | Tandy,<br>Zevely—8. |
|-----------------|----------------------|---------------------|---------------------|

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|   |   |   |  |
|---|---|---|--|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Costello,<br>Davisson, | Dowell,<br>Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Heather, | Jewell,<br>Lee,<br>Matthews,<br>Ramp,<br>Rollins,<br>Rubey, | Schoenlaub,<br>Smith,<br>Stubbs,<br>Thomas,<br>Walker,<br>Whaley—24. |
|---|---|---|--|

NAYS—None.

Absent with leave—Senators

|                      |                    |                       |                     |
|----------------------|--------------------|-----------------------|---------------------|
| Clarke,<br>Marshall, | Martin,<br>Morton, | Orchard,<br>Sullivan, | Tandy,<br>Zevely—8. |
|----------------------|--------------------|-----------------------|---------------------|

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Bradley moved to reconsider the vote by which Senate bill No. 84 and emergency clause passed.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senator Whaley moved that House bill No. 137 be made special order for 2:30 p. m. tomorrow.

Motion prevailed.

Senator Whaley was granted leave of absence.

Senator Clay called up Senate bill No. 194 and moved that bill be read third time and put upon its passage.

Motion prevailed.

Senate bill No. 194, entitled

An act to repeal section 9874 of article 2, chapter 145 of the Revised Statutes of 1899, entitled "City, town and village schools," and to enact a new section in lieu thereof, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|   |  |  |   |
|---|--|--|---|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Costello,<br>Davisson, | Dowell,<br>Drabelle,<br>Fields,<br>Heather,<br>Jewell, | Lee,<br>Matthews,<br>Ramp,<br>Rollins,<br>Rubey, | Schoenlaub,<br>Smith,<br>Stubbs,<br>Thomas,<br>Walker—21. |
|---|--|--|---|

NAYS—None.

Absent with leave—Senators

|                               |                                 |                                 |                       |
|-------------------------------|---------------------------------|---------------------------------|-----------------------|
| Clarke,<br>Farris,<br>Haynes, | Marshall,<br>Martin,<br>Morton, | Orchard,<br>Sullivan,<br>Tandy, | Whaley,<br>Zevely—11. |
|-------------------------------|---------------------------------|---------------------------------|-----------------------|

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|  |   |  |   |
|--|---|--|---|
| Biggs,<br>Bradley,<br>Clarke,<br>Clay,<br>Collins,<br>Costello,<br>Davisson, | Dowell,<br>Drabelle,<br>Fields,<br>Farris,<br>Haynes,<br>Heather, | Jewell,<br>Lee,<br>Marshall,<br>Matthews,<br>Ramp,<br>Rollins, | Rubey,<br>Schoenlaub,<br>Smith,<br>Stubbs,<br>Thomas,<br>Walker—25. |
|--|---|--|---|

NAYS—None.

Absent with leave—Senators

|                    |                       |                   |           |
|--------------------|-----------------------|-------------------|-----------|
| Martin,<br>Morton, | Orchard,<br>Sullivan, | Tandy,<br>Whaley, | Zevely—7. |
|--------------------|-----------------------|-------------------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which Senate bill No. 194 and the emergency clause passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, entitled

Senate Committee Substitute for Senate Joint and Concurrent Resolutions Nos. 5 and 6, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to provide for the payment of the interest thereon; and to provide for the future investment of school and seminary funds,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills to which was referred

Senate bill No. 47, entitled

An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right-of-way over any tract or tracts of land for such railroad, or in consideration of donations to the corporation building or constructing such railroad,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senate bill No. 225, entitled

An act to amend chapter 13, Revised Statutes of Missouri, 1899, entitled "Costs in civil cases," by adding a new section thereto, to be known as section 1543a and relating to cost bonds in civil cases,

Was taken up, read third time, and failed to pass by the following vote:

YEAS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Biggs,   | Dowell,   | Haynes,  | Schoenlaub, |
| Clay,    | Drabelle, | Jewell,  | Thomas,     |
| Collins, | Fields,   | Rollins, | Walker—13.  |
| Davison, |           |          |             |

NAYS—Senators

|           |           |        |              |
|-----------|-----------|--------|--------------|
| Bradley,  | Heather,  | Ramp,  | Stubbs,      |
| Costello, | Marshall, | Rubey, | Sullivan—11. |
| Farris,   | Matthews, | Smith, |              |

Absent with leave—Senators

|         |         |          |           |
|---------|---------|----------|-----------|
| Clarke, | Martin, | Orchard, | Whaley,   |
| Lee,    | Morton, | Tandy,   | Zevely—8. |

Sick—Senator Cooper—1.

Senate bill No. 287, entitled

An act to repeal sections 1939 and 1940 of the Revised Statutes of 1899, providing penalties for defrauding a gas company and for altering a gas meter for a fraudulent purpose, and providing a new section in lieu thereof, applying such penalties to gas companies and, in addition, to electric light and power companies, to water companies, to steam companies, to refrigerating companies and to all companies and persons furnishing a gas or liquid through pipes to consumers,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators—

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Smith,      |
| Clay,     | Fields,   | Matthews, | Stubbs,     |
| Collins,  | Haynes,   | Ramp,     | Sullivan,   |
| Costello, | Heather,  | Rollins,  | Thomas,     |
| Davisson, | Jewell,   | Rubey,    | Walker—25.  |
| Dowell,   |           |           |             |

NAYS—None.

Absent with leave—Senators

|         |          |         |           |
|---------|----------|---------|-----------|
| Clarke, | Morton,  | Tandy,  | Zevely—7. |
| Lee,    | Orchard, | Whaley, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Martin moved that the vote by which Senate bill No. 287 was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 294 was taken up and laid over informally.

Senate Walker called up Senate bill No. 77, entitled

An act to repeal sections 727 and 728 of chapter 8, article 7 of Revised Statutes of Missouri for 1899, and relating to bills of exceptions in civil suits, and to enact in lieu thereof three new sections, to be known as sections 727, 728 and 728a, an to repeal section 813 of chapter 8 of article 10 of Revised Statutes of Missouri relating to duties of parties in appeals and to enact a new section in lieu thereof, to be known as section 813,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Davisson, | Lee,      | Smith,     |
| Bradley,  | Dowell,   | Marshall, | Stubbs,    |
| Clarke,   | Drabelle, | Matthews, | Thomas,    |
| Clay,     | Fields,   | Rollins,  | Walker—19. |
| Costello, | Haynes,   | Rubey,    |            |

NAYS—Senators,

|          |          |             |             |
|----------|----------|-------------|-------------|
| Collins, | Heather, | Ramp,       | Sullivan—7. |
| Farris,  | Jewell,  | Schoenlaub, |             |

Absent with leave—Senators

|         |          |         |           |
|---------|----------|---------|-----------|
| Martin, | Orchard, | Whaley, | Zevely—6. |
| Morton, | Tandy,   |         |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 77 was passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

- Senator Drabelle called up Senate bill No. 175.

Senator Hayes moved that the bill be made special order for 11 a. m. tomorrow.

Motion prevailed.

Senator Clay submitted the following report from the Committee on Labor, Mines and Manufactories:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred House bill No. 13, entitled

An act to prevent persons and corporations from working laborers underground more than eight hours in a day of twenty-four hours, and fixing eight hours as a day for such laborers,

Begs leave to report that it has examined the same and recommends that the accompanying committee substitute do pass;

Which was read.

Committee substitute for House bill No. 13, entitled

An act to repeal sections 8793 and 8794, chapter 133 of article 2 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as sections 8793 and 8794, and to prevent persons and corporations from working laborers underground more than eight hours in a day of twenty-four, and fixing eight hours as a day for such labor.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred House bill No. 483, entitled

An act to amend article 2, chapter 102, Revised Statutes of Missouri of 1899, relating to elections, by adding thereto a new section, to be known as section 7084a,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The President called President pro tem. Farris, to the chair.

Senator Lee called up House bill No. 193.

Senator Davisson offered the following amendment:

Amendment No. 1 to House bill No. 193:

Amend House bill No. 193 by adding after the word "examination," in the 68th line of section 9958, the following:: Provided, further, that no certificate of qualification to teach shall be recognized until the provisions of this section or the laws regulating State certificates issued by the State Superintendent of Schools are complied with;"

Which was read first and second times.

Roll call demanded.

Amendment was lost by the following vote:

YEAS—Senators

|           |          |             |
|-----------|----------|-------------|
| Davisson, | Rollins, | Sullivan—3. |
|-----------|----------|-------------|

NAYS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Dowell,  | Lee,      | Schoenlaub, |
| Bradley,  | Farris,  | Marshall, | Smith,      |
| Clarke,   | Fields,  | Matthews, | Stubbs,     |
| Clay,     | Haynes,  | Morton,   | Thomas,     |
| Collins,  | Heather, | Ramp,     | Walker—23.  |
| Costello, | Jewell,  | Rubey,    |             |

Absent with leave—Senators

|           |          |         |           |
|-----------|----------|---------|-----------|
| Drabelle, | Orchard, | Whaley, | Zevely—6. |
| Martin,   | Tandy,   |         |           |

Sick—Senator Cooper—1.

Senator Lee moved that House bill No. 193 be read third time and put upon its passage.

The motion prevailed.

House bill No. 193, entitled

An act to repeal sections 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968 of article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to enact new sections in lieu thereof, entitled, "Powers and duties of county boards of education relating to course of study, licensing teachers and conducting institutes, and of the State Board of Education relating to summer schools," with an emergency clause,

Was read third time, placed upon its passage and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Lee,      | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clarke,   | Fields,   | Morton,   | Stubbs,     |
| Clay,     | Haynes,   | Ramp,     | Sullivan,   |
| Collins,  | Heather,  | Rollins,  | Thomas,     |
| Costello, | Jewell,   | Rubey,    | Walker—25.  |
| Davisson, |           |           |             |

NAY—Senator Dowell—1.

Absent with leave—Senators

|           |          |         |           |
|-----------|----------|---------|-----------|
| Marshall, | Orchard, | Whaley, | Zevely—6. |
| Martin,   | Tandy,   |         |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Lee,      | Schoenlaub, |
| Bradley,  | Drabelle, | Matthews, | Smith,      |
| Clarke,   | Farris,   | Morton,   | Stubbs,     |
| Clay,     | Fields,   | Ramp,     | Sullivan,   |
| Collins,  | Haynes,   | Rollins,  | Thomas,     |
| Costello, | Heather,  | Rubey,    | Walker—26.  |
| Davisson, | Jewell,   |           |             |

NAYS—None.

Absent with leave—Senators

|           |          |         |           |
|-----------|----------|---------|-----------|
| Marshall, | Orchard, | Whaley, | Zevely—6. |
| Martin,   | Tandy,   |         |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Lee moved that the vote by which House bill No. 193, together with the emergency clause, was passed be reconsidered.

Senator Costello moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for Senate bill No. 264 was taken up and laid over informally.

Senate bill No. 240, entitled

An act to repeal section 2834 and section 2835, article 15, chapter 16, of the Revised States of Missouri of 1899, and to enact two new sections in lieu thereof, to be known as sections 2834 and 2835, relative to costs in criminal cases,

Was ordered engrossed and printed.

Senate bill No. 113 was, on motion of Senator Biggs, indefinitely postponed.

The seven following communications were received from the House of Representatives through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to

inform the Senate that there has been introduced into and passed by the House,

House bill No. 422, entitled

An act to amend section 1722 of article 3 of chapter 14 of the Revised Statutes of Missouri of 1899, entitled "Courts of record"—"Circuit Courts;,"

Also, House bill No. 550, entitled

An act to amend article 14 of chapter 168 of the Revised Statutes of 1899 relating to roads, highways and bridges in counties having township organization, by adding thereto a new section, to be known as section 10355a,

Also, House bill No. 396, entitled

An act to authorize receivers, assignees, guardians, trustees, executors, administrators, curators or other fiduciaries, or any party in any civil proceedings or suit, to recover the cost of corporate suretyship;

Also, House bill No. 308, entitled

An act to repeal sections 3331, 3332, 3333 and 3336 of article 1, chapter 29, Revised Statutes of Missouri, 1899, entitled "Forcible entry and detainer," and to enact three new sections in lieu thereof, to be known as sections 3331, 3336 and 3345a, relating to proceedings before justices of the peace;

Also, committee substitute for House bill No. 123, entitled

An act to repeal section 289, and section 294, of article 15, chapter 1, of the Revised Statutes of Missouri, 1899, relating to public administrators, and to enact a new section in lieu thereof, to be known as section 289;

Also, committee substitute for House bill No. 66, entitled

An act to repeal section 148 of article 8 of chapter 1 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof;

Also, House bill No. 267, entitled

An act for the relief of Edw. J. White and Mrs. Maud L. W. Stevenson,

In which the concurrence of the Senate is respectfully requested;

Which were read.

Rules suspended.

House bill No. 422, entitled

An act to amend section 1722 of article 3 of chapter 14 of the Revised Statutes of Missouri of 1899, entitled "Courts of record"—"Circuit courts;,"

Was taken up and read first time.

House bill No. 550, entitled

An act to amend article 14 of chapter 168 of the Revised Statutes of 1899 relating to roads, highways and bridges in counties having township organization, by adding thereto a new section, to be known as section 10355a,

Was taken up and read first time.

House bill No. 308, entitled

An act to repeal sections 3331, 3332, 3333 and 3336 of article 1, chapter 29, Revised Statutes of Missouri, 1899, entitled "Forcible entry and detainer;," and to enact three new sections in lieu thereof, to be known as sections 3331, 3336 and 3345a, relating to proceedings before justices of the peace,

Was taken up and read first time.

House bill No. 396, entitled

An act to authorize receivers, assignees, guardians, trustees, executors, administrators, curators or other fiduciaries, or any party in any civil proceeding or suit, to recover the cost of corporate suretyship,

Was taken up and read first time.

Committee substitute for House bill No. 123, entitled

An act to repeal section 289 and section 294 of article 15, chapter 1 of the Revised Statutes of Missouri, 1899, relating to public administrators, and to enact a new section thereof, to be known as section 289,

Was taken up and read first time.

Committee substitute for House bill No. 66, entitled

An act to repeal section 148 of article 8, chapter 1 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Was taken up and read first time.

House bill No. 267, entitled

An act for the relief of Edw. J. White and Mrs. Maud L. W. Stevenson,

Was taken up and read first time.

Senate bill No. 115 was, on motion of Senator Ramp, indefinitely postponed.

Senate bill No. 131 was taken up and laid over informally.

Senate bill No. 260 was taken up.

Senator Drabelle offered the following amendment:

Amendment No. 2:

Amend Senate bill No. 260, section 1, by striking out the word "coursing" in line 6 of said section;

Which was read and lost.

Senator Tandy was granted leave of absence.

Senator Martin moved that the record show that the Senate substitute for committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114 is in possession of House Committee on Conference on said bill.

The motion prevailed.

Senator Morton, from the Committee on Conference, submitted a majority report on Senate substitute for committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114:

Mr. President: Your Committee on Conference heretofore appointed to act with a like committee from the House, to whom was referred the differences between the Senate and House, upon Senate substitute to committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the taxation of franchises," and requiring the State Board of Equalization to assess the same and providing penalties for the violation of the act, with an emergency clause.

Beg leave to report that on conference with the House Conference Committee the following agreement was had, to wit: That we recommend that the House recede from House amendments Nos. 1 and 2 to the above named Senate bill.

All of which is respectfully submitted with a recommendation that the same be adopted.

JOHN F. MORTON,

C. W. CLARKE,

On Part Senate Committee.

J. C. DUVAL,

FRANK C. SICKLES,

On Part House Committee.

Which was read.

Senator Martin submitted a minority report from the Committee of Conference on Senate substitute for committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114:

We, the undersigned members of your committee, appointed for the purposes of conferring upon the disagreement between the Senate and the House on committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, known as the Franchise bill, beg leave to report that it has conferred with said Conference Committee and recommends that the House do not recede for the following reasons, to wit:

First—That no evidence was in possession of the committee why the House should recede, but, on the contrary, the four different votes on the proceedings of this bill in the House show that the House was practically a unit in support of said committee substitute.

Second—That the record of the Senate on the different votes of this measure shows there is over one-fifth of its members who entertain the same opinion as that of the House, and a different opinion from that of the majority of this committee.

Third—Because there has been no effort to agree upon a compromise measure by a majority of this committee.

Fourth—Because there was no effort on the part of a majority of your committee to effect a compromise on the difference between the said Conference Committee and between the two Houses.

Fifth—Because it is the earnest desire of the undersigned to see an equitable law placed upon the statute books taxing franchises, and in the limited time now allowed for consideration of such a law, no further time should be wasted in pursuing such a measure as suggested by the majority report.

In view of these facts the minority of said Conference Committee makes this report and ask that the same be adopted.

Respectfully submitted,  
 ERNEST D. MARTIN,  
 Senate Conference Committee.  
 THOS. A. HAWKINS,  
 House Conference Committee.

Which was read.

Senate Martin moved that the minority report be substituted for the majority report.

Roll call demanded, and motion lost by the following vote:

YEAS—Senators

Dowell, Martin—2.

NAYS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Collins,  | Heather,  | Rollins,    | Walker,    |
| Costello, | Jewell,   | Rubey,      | Zevely—27. |
| Davisson, | Lee,      | Schoenlaub, |            |

Absent with leave—Senators

Orchard, Tandy, Whaley—3.

Sick—Senator Cooper—1.

Senator Morton moved that the majority report be adopted.

Motion prevailed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Lee,      | Schoenlaub, |
| Bradley,  | Drabelle, | Marshall, | Smith,      |
| Clarke,   | Farris,   | Matthews, | Stubbs,     |
| Clay,     | Fields,   | Morton,   | Sullivan,   |
| Collins,  | Haynes,   | Ramp,     | Thomas,     |
| Costello, | Heather,  | Rollins,  | Walker,     |
| Davisson, | Jewell,   | Rubey,    | Zevely—28.  |

NAY—Senator Martin—1.

Absent with leave—Senators

Orchard, Tandy, Whaley—3.

Sick—Senator Cooper—1.

Senate bill No. 260 was taken up.

Senator Jewell offered the following amendment:

Amendment No. 3:

Senate bill No. 260 is hereby amended so as to strike out the words "fowl and birds," appearing in section 2298a, lines five, ten, twelve and thirteen, in said bill:

Which was read and not agreed to.

Senate bill No. 260, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and de-

cency, or the public police and miscellaneous offenses, by adding two news sections thereto, to be known as sections 2298a and 2298b,

Was ordered engrossed and printed.

Senate bill No. 283 was taken up.

Senator Collins moved that the bill be ordered engrossed and printed.

Senator Rollins moved to lay the bill over informally.

The motion was lost.

Senate bill No. 283, entitled

An act to repeal sections 6539, 6540, 6541, 6544 and 6554, article 23, chapter 91 of the Revised Statutes of the State of Missouri, 1899, relating to juries in cities of over one hundred thousand inhabitants, and to enact new sections in lieu thereof,

Was ordered engrossed and printed.

Senator Rubey moved to suspend the rules and take up Senate bill No. 291.

The motion prevailed.

Senate bill No. 291, entitled

An act to amend article 4 of chapter 119 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 7930a,

Was ordered engrossed and printed.

Senator Walker moved to suspend the rules and take up Senate bill No. 320.

The motion prevailed.

Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Was ordered engrossed and printed.

Senator Heather introduced Senate bill No. 331, entitled

An act to authorize the imposition of a franchise tax on corporations doing business in Missouri;

Read first time and 300 copies ordered printed.

Senator Walker introduced Senate bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to Legislature;

Read first time and 150 copies ordered printed.

Senator Walker introduced Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department;"

Read first time and 150 copies ordered printed.

Senator Walker moved to suspend the rules and take up Senate bill No. 321.

The motion prevailed.

Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Was read second time and ordered engrossed and printed.

Senator Walker moved to reconsider the vote by which Senate bill No. 88 was ordered engrossed and printed.

The motion prevailed.

Senator Walker offered the following amendments:

Amendment No. 3 to Senate bill No. 88:

Amend Senate bill No. 88 by striking out the words "no dram-shop-keeper shall have electric wire signal, or tube connection, or other device, by which communication with others outside of his dramshop proper may be had," from lines 12, 13 and 14 of section 1 of said bill;

Read first and second times and agreed to.

Amendment No. 4 to Senate bill No. 88:

Amend Senate bill No. 88 by adding the words "and thirty minutes in the morning," after the word "o'clock," in line 22, section 1 of said bill, and striking out the word "midnight" where it occurs in the same line;

Read first and second times and agreed to.

Senate bill No. 88, as amended, entitled

An act to amend article 1, chapter 22, section 3018 of the Revised Statutes of 1899, relating to dramshops,

Was ordered engrossed and printed.

Senator Lee, from the Committee on Agriculture, Roads and Highways and Ferries, submitted the following report:

Mr. President: Your Committee on Agriculture, Roads and Highways and Ferries, to which was referred House bill No. 390, entitled

An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled "Roads and Highways," and enacting three new sections in lieu thereof, and to be known as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which was read.

Senator Ramp moved to suspend the rules and take up Senate bill No. 306.

The motion prevailed.

Senate bill No. 306, entitled

An act to provide for the payment of quarantine and pest camp expenses in cases of epidemics,

Was ordered engrossed and printed.

Senator Stubbs moved to suspend the rules and take up House joint and concurrent resolution No. 2.

The motion prevailed.

Senator Stubbs moved that House joint and concurrent resolution No. 2 be read third time and put upon its passage.

The motion prevailed.

House joint and concurrent resolution No. 2 to amend section 8 of article 9 of the Constitution of the State of Missouri,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,

Lee,  
Martin,  
Matthews,  
Morton,  
Ramp,  
Rubey,

Schoenlaub,  
Smith,  
Stubbs,  
Sullivan,  
Thomas,  
Walker—26.

## NAYS—Senators

Rollins, Zevely—2.

Absent with leave—Senators

Marshall, Orchard, Tandy, Whaley—4.

Sick—Senator Cooper—1.

Title to House joint and concurrent resolution No. 2 agreed to. Senator Stubbs moved that the vote by which House joint and concurrent resolution was passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

Senator Heather offered the following resolution:

Whereas, The State is paying an ample janitor force to look after and keep clean the Senate chamber; and

Whereas, The said Senate chamber owing to a wise and economical Democratic administration is not dependent upon "the moon" for light; and

Whereas, The Senate has furnished to the Senate chamber a large chandelier; and,

Whereas, Said chandelier is dust-covered and dirt-bespattered; therefore, be it

Resolved, That the Door-keeper be and is hereby directed to have said chandelier properly dusted off and rubbed up, to the end that our light may so shine that all can see the good and detect the bad:

Which was read and adopted.

Senator Smith introduced Senate bill No. 334, entitled

An act to amend article 2, section 3019 of the Revised Statutes of the State of Missouri, entitled "Excise Commissioners," and enact a new section in lieu thereof;

Read first time and 150 copies ordered printed.

Senator Martin introduced Senate bill No. 335, entitled

An act to provide for the examination of corporations doing business in this State, and to create the office of corporation examiners, and to provide for the appointment and the powers and the duties thereof;

Read first time and 150 copies ordered printed.

Senator Zevely moved that when the Senate adjourns, it adjourn under the rules.

The motion prevailed.

Senator Collins, from the Committee on Penitentiary and Reform Schools, submitted the following report:

Mr. President: Your Committee on Penitentiary and Reform Schools, to which was referred Senate bill No. 317, entitled

An act to amend section which is now numbered 8778, on page 2066 of article 1 of chapter 141, entitled "Penitentiary," by adding a proviso thereto,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which was read.

House bills Nos. 10 and 251 were taken up and laid over informally.

Committee substitute for House bill No. 78 was taken up and laid over informally.

House bill No. 178, entitled

An act to amend article 2 of chapter 69 of the Revised Statutes of 1899, entitled "Animals restrained from running at large," by enacting a new section, to be known as section 4777a.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Costello, | Morton,     | Sullivan,  |
| Bradley, | Drabelle, | Rubey,      | Thomas,    |
| Clarke,  | Farris,   | Schoenlaub, | Walker,    |
| Clay,    | Haynes,   | Smith,      | Zevely—19. |
| Collins, | Marshall, | Stubbs,     |            |

## NAYS—Senators

|           |          |         |            |
|-----------|----------|---------|------------|
| Davisson, | Fields,  | Jewell, | Rollins—6. |
| Dowell,   | Heather, |         |            |

## Absent with leave—Senators

|         |           |        |           |
|---------|-----------|--------|-----------|
| Lee,    | Matthews, | Ramp,  | Whaley—7. |
| Martin, | Orchard,  | Tandy, |           |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which House bill No. 178 was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senator Walker called up House bill No. 59, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 59, entitled

An act to amend chapter 10, Revised Statutes of Missouri, 1899, entitled "Contracts and promises," by adding a new section thereto, to be known as section 899a, and relating to real estate agents, their dual agency prohibited, and providing for a recovery in certain cases,

Was read third time, and failed to pass by the following vote:

## YEAS—Senators

|          |           |         |             |
|----------|-----------|---------|-------------|
| Biggs,   | Drabelle, | Haynes, | Schoenlaub, |
| Clarke,  | Farris,   | Morton, | Thomas,     |
| Clay,    | Fields,   | Rubey,  | Walker—13.  |
| Collins, |           |         |             |

## NAYS—Senators

|           |           |           |              |
|-----------|-----------|-----------|--------------|
| Bradley,  | Heather,  | Martin,   | Smith,       |
| Costello, | Jewell,   | Matthews, | Stubbs,      |
| Davisson, | Marshall, | Rollins,  | Sullivan—13. |
| Dowell,   |           |           |              |

## Absent with leave—Senators

|          |        |         |           |
|----------|--------|---------|-----------|
| Lee,     | Ramp,  | Whaley, | Zevely—6. |
| Orchard, | Tandy, |         |           |

## Sick—Senator Cooper—1.

On motion of Senator Costello, the Senate went into executive session.

The regular session resumed.

On motion of Senator Rubey, the Senate adjourned until to a. m. tomorrow.

## FORTY-SEVENTH DAY—Thursday, March 7, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by Rev. Pinkerton.

Journal of yesterday read and approved.

Senator Tandy, from the Committee on Engrossed Bills, submitted the four following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 292, entitled

An act to amend chapter 20, Revised Statutes of the State of Missouri, 1899, entitled "Divorce, alimony and custody of children," by adding two new sections thereto, to be known as sections 2932a and 2932b;

Also, Senate bill No. 154, entitled

An act to amend section 4358 of chapter 52, Revised Statutes of Missouri of 1899 of the mortgages and deeds of trust law, entitled "Acknowledgment of satisfaction and release, how made;"

Also, Senate bill No. 156, entitled

An act relating to the bringing of suits for the publication of libel in newspapers;

Also, Senate bill No. 316, entitled

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and defining his duties, providing for the appointment of a deputy, and also defining the duties of other officers in connection therewith, and prescribing penalties, in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause.

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Biggs, from the Committee on Retrenchment and Reform, Fees, Salaries and Criminal Costs, submitted the following report:

Mr. President: Your Committee on Retrenchment and Reform, to which was referred House bill No. 277, entitled

An act to repeal the article beginning on page 2585 and ending on page 2589 of volume 2, Revised Statutes of Missouri, 1899, entitled "Sturgeon Court of Common Pleas," and to abolish said court, and transfer all records and papers of said court to the clerk of the circuit court of Boone county,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Jewell offered the following resolution:

Resolved, That a committee of five members of the Senate be appointed by the President of the Senate, whose duty it shall be to examine into and ascertain the value of that class of labor known as convict labor, and the relative prices paid therefor as against free labor in this State, and to fix the basic price which the State should receive for all convict labor. And to this end such committee shall have the power to send for persons and papers and to examine under oath all witnesses summoned before it. And said committee shall report its findings to the Senate with all convenient speed.

Which was read.

The twelve following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict therewith, with amendments Nos. 1 and 2;

Also, Senate bill No. 33, entitled

An act to provide for the punishment of any one guilty of kidnapping or carrying away any child or other person, with amendments Nos. 1 and 2;

Also, Senate bill No. 132, entitled

An act entitled "An act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy, and to enact a new section, relating to the same subject, to be known as section 7502a, with an emergency clause;

Which were read.

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House joint and concurrent resolution No. 12,

Relating to the limit of indebtedness of counties, cities, towns, township, school districts and other political corporations and subdivisions of the State of Missouri;

Also, House bill No. 184, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations;

Also, House bill No. 150, entitled

An act to repeal section 546 of article 1, chapter 8, Revised Statutes of Missouri, 1899, entitled "Code of civil procedure," and relating to the form of civil actions and the parties thereto, and to enact two new sections in lieu thereof, to be known as sections 546 and 546a;

Also, House bill No. 558, entitled

An act to amend section 1725, chapter (14) fourteen, article (3) three, Revised Statutes of Missouri, 1899, relating to time of holding circuit court;

Also, committee substitute for House bill No. 85, entitled

An act to amend section 10137, chapter 163, entitled "Strays," and relating to notice and bond;

Also, House bill No. 394, entitled

An act to repeal section 9302, article 6, chapter 149 of the Revised Statutes of the State of Missouri, 1899, in relation to "Revenue," and enacting in lieu thereof a new section;

Also, House bill No. 457, entitled

An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands, and to amend section 8267, chapter 122, and to amend sections 8282, 8202, 8208 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands;

Also, House bill No. 215, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause;

Also, House bill No. 235, entitled

An act to amend section 7084 of chapter 102, article 2 of the Revised Statutes of Missouri for 1899, relating to ballots, voting, nominations, etc.,

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Haynes moved that the rules be suspended, and that Senate bill No. 316 be taken up.

The motion prevailed.

Senate bill No. 316, entitled

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and prescribing his duties, and also the duties of other offices in connection therewith in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Marshall,   | Smith,     |
| Bradley,  | Drabelle, | Martin,     | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Thomas,    |
| Clay,     | Fields,   | Rubey,      | Walker,    |
| Collins,  | Haynes,   | Rollins,    | Whaley,    |
| Costello, | Lee,      | Schoenlaub, | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Davison, | Jewell,   | Orchard, | Sullivan—7. |
| Heather, | Matthews, | Ramp,    |             |

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Lee,        | Smith,     |
| Bradley,  | Drabelle, | Marshall,   | Stubbs,    |
| Clarke,   | Farris,   | Martin,     | Thomas,    |
| Clay,     | Fields,   | Morton,     | Walker,    |
| Collins,  | Haynes,   | Rollins,    | Whaley,    |
| Costello, | Heather,  | Schoenlaub, | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|          |           |        |             |
|----------|-----------|--------|-------------|
| Davison, | Matthews, | Ramp,  | Sullivan—7. |
| Jewell,  | Orchard,  | Rubey, |             |

Sick—Senators

|         |          |
|---------|----------|
| Cooper, | Tandy—2. |
|---------|----------|

The title to the bill was read and agreed to.

Senator Haynes moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Whaley, from the Committee on Railroads and Internal Improvements, submitted the five following reports:

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred House bill No. 245, entitled

An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to the capital stock of railroad corporations,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred House bill No. 120, entitled

An act to fix the liability of railroad and other corporations for damages done by them or their contractors in the construction of railroads,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred Senate bill No. 155, entitled

An act to amend section 1192 of the Revised Statutes of 1899, entitled "Passenger charges regulated," by making classes B and C passenger rates same as class A,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred House bill No. 344, entitled

An act compelling railroad companies to cover coal chutes, and providing for the violation of this act,

Begs leave to report that it has examined the same, and recommends that it do not pass;

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred House bill No. 242, entitled

An act to amend section 2867 of chapter 17 of the Revised Statutes of Missouri of 1899, entitled "Damages and contributions in actions of torts,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which were read.

Senator Whaley, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred Senate joint and concurrent resolution No. 13, entitled

An act providing for the amendment of article ten (X) of the Constitution of the State of Missouri, by repealing section twelve (12) of said article ten (X), and inserting in lieu thereof a new section, to be known and designated as section twelve (12), relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which was read.

Senator Rubey, from the Committee on Appropriations, submitted the three following reports:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 216, entitled

An act authorizing the transfer of fifty thousand dollars from the Insurance Department fund to the State Revenue fund,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 334, entitled

An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly,

Begs leave to report that it has examined the same, and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 467, entitled

An act to appropriate money for the support and maintenance, repairs and improvements of the eleemosynary institutions and penal institutions of the State for the years 1901 and 1902,

Begs leave to report that it has examined the same, and recommends that it do pass, with the accompanying amendment:

Which were read.

Senate bill No. 324, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations,"

Was taken up, read second time, and referred to Committee on Private Corporations.

Senate bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund,"

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Senate bill No. 327, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing section 5522, and enacting in lieu thereof a new section, to be known as section 5522,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

Committee substitute for House bill No. 66, entitled

An act to repeal section 148 of article 8, chapter 1 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 74, entitled

An act to amend section 2627 of article 7 of chapter 16 of Revised Statutes of the State of Missouri of 1899, entitled "Practice and proceedings in criminal cases,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

Committee substitute for House bill No. 123, entitled

An act to repeal section 289 and section 294 of article 15, chapter 1 of the Revised Statutes of Missouri, 1899, relating to public administrators, and to enact a new section thereof, to be known as section 289,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 267, entitled

An act for the relief of Edw. J. White and Mrs. Maud L. W. Stevenson,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 308, entitled

An act to repeal sections 3331, 3332, 3333 and 3336 of article 1, chapter 29, Revised Statutes of Missouri, 1899, entitled "Forcible entry and detainer," and to enact three new sections in lieu thereof, to be known as sections 3331, 3336 and 3345a, relating to proceedings before justices of the peace,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 324, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly with the State of Missouri,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 375, entitled

An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities of ten thousand population or more, and to prohibit the employment of children during school hours,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

House bill No. 396, entitled

An act to authorize receivers, assignees, guardians, trustees, ex-exutors, administrators, curators or other fiduciaries, or any party in any civil proceeding or suit, to recover the cost of corporate suretyship,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 422, entitled

An act to amend section 1722 of article 3 of chapter 14 of the Revised Statutes of Missouri of 1899, entitled "Courts of record—circuit courts,"

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 489, entitled

An act creating a freight schedule commission, and providing for their appointment and compensation,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 528, entitled

An act providing for a Board of Commissioners to Pan-American Exposition at Buffalo, New York, and the South Carolina Interstate and West Indian Exposition at Charleston, prescribing their powers and duties and appropriating money therefor, with an emergency clause,

Was taken up, read second time, and referred to Committee on Louisiana Purchase Centennial.

House bill No. 550, entitled

An act to amend article 14 of chapter 168 of the Revised Statutes of 1899, relating to roads, highways and bridges in counties having

township organization, by adding thereto a new section, to be known as section 10355a,

Was taken up, read second time, and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

House bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other educational institutions during the years 1901 and 1902,

Was taken up, read second time, and referred to Committee on Appropriations.

Senate bill No. 130, entitled

An act to repeal section 2997 of article 1, chapter 22 of the Revised Statutes of Missouri of 1899, entitled "Dramshops," and by enacting a new section in lieu thereof, to be known as section 2997,

Was read third time, and failed to pass by the following vote:

YEAS—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Collins,  | Jewell,   | Morton,  | Schoenlaub, |
| Costello, | Marshall, | Orchard, | Thomas,     |
| Farris,   | Matthews, | Ramp,    | Whaley—13.  |
| Heather,  |           |          |             |

NAYS—Senators,

|          |           |         |            |
|----------|-----------|---------|------------|
| Biggs,   | Clay,     | Fields, | Sullivan,  |
| Bradley, | Davisson, | Rubey,  | Walker,    |
| Clarke,  | Dowell,   | Stubbs, | Zevely—12. |

Absent with leave—Senators

|           |         |          |          |
|-----------|---------|----------|----------|
| Drabelle, | Lee,    | Rollins, | Tandy—7. |
| Haynes,   | Martin, | Smith,   |          |

Sick—Senator Cooper—1.

Committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the "public school fund" and the "seminary fund:" to extend and perpetuate the same; to provide for the payment of the interest thereon; and to provide for the future investment of school and seminary funds,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Dowell,  | Lee,        | Stubbs,    |
| Bradley,  | Farris,  | Martin,     | Thomas,    |
| Clarke,   | Fields,  | Morton,     | Walker,    |
| Clay,     | Haynes,  | Orchard,    | Whaley,    |
| Collins,  | Heather, | Rubey,      | Zevely—23. |
| Costello, | Jewell,  | Schoenlaub, |            |

NAYS—Senators,

|           |          |        |             |
|-----------|----------|--------|-------------|
| Davisson, | Ramp,    | Smith, | Sullivan—6. |
| Matthews, | Rollins, |        |             |

Absent with leave—Senators

|           |           |          |
|-----------|-----------|----------|
| Drabelle, | Marshall, | Tandy—3. |
|-----------|-----------|----------|

Sick—Senator Cooper—1.

Title to committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6 was agreed to.

Senator Haynes moved that the vote by which the resolution was passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

Senator Lee, from the Committee on Agriculture, Roads, Highways, Bridges and Ferries, submitted the following report:

Mr. President: Your Committee on Agriculture, Roads, Highways, Bridges and Ferries, to which was referred House bill No. 550, entitled

An act to amend article 14 of chapter 168 of the Revised Statutes of 1899, relating to roads, highways and bridges in counties having township organization, by adding thereto a new section, to be known as section 10355a,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which was read.

The President announced the reception from the House of Representatives, enrolled House bill No. 167, entitled

An act to repeal section 1825 of article 2, chapter 12, Revised Statutes of Missouri, and enact a new section in lieu thereof;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 28, entitled

An act entitled an act to amend chapter 86 of the Revised Statutes of Missouri of 1899, relating to burial grounds, by adding a new section thereto, to be known a ssection 5217a;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, committee substitute for House bill No. 7, entitled

An act to amend section 581 of the Revised Statutes of Missouri, 1899, relating to orders of publication;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 119, entitled

An act to amend section 1727 of article 3 of chapter 14 of the Revised Statutes of 1899 of Missouri, entitled "Courts of record;"

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The

bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 323, entitled

An act to repeal section 1937 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 303, entitled

An act to repeal sections 4231 and 4232 of article 2, chapter 47, Revised Statutes of Missouri, 1899, entitled "Liens for keeping horses and other animals," and to enact two new sections in lieu thereof, to be known as sections 4231 and 4232, and relating to the lien on offspring of animals;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, Senate enrolled bill No. 157, entitled

An act entitled "An act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State Seminary moneys,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Also, Senate enrolled bill No. 47, entitled

An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroad, or in consideration of donations to the corporation building or constructing such railroad,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read

at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Also, Senate enrolled bill No. 43, entitled

An act fixing the times for holding court in the Fifteenth judicial circuit and in the criminal court of the Fifteenth circuit of the State of Missouri,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Also, Senate enrolled bill No. 74, entitled

An act to amend section 6466 of article 19, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled "Public libraries and buildings."

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 7, 1901.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 112, entitled "An act to repeal article 2 of chapter 121 of the Revised Statutes of Missouri, 1899, and to create a State Board of Mediation and Arbitration, for the settlement of differences between employers and employes, and to define the powers and duties of said board, with an emergency clause."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

Senate bill No. 175 having been made a special order for 11 a. m. and that hour having arrived, the bill was taken up.

Senator Drabelle moved that the bill be read the third time and placed upon its passage.

The motion prevailed.

Senate bill No. 175, entitled

An act authorizing local fire insurance agents to make schedules for rating in cities and counties where they are located,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Bradley,  | Drabelle, | Jewell,   | Rubey,      |
| Clarke,   | Farris,   | Lee,      | Schoenlaub, |
| Clay,     | Fields,   | Matthews, | Smith,      |
| Collins,  | Haynes,   | Ramp,     | Stubbs,     |
| Davisson, | Heather,  | Rollins,  | Walker—20.  |

## NAYS—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Biggs,    | Martin, | Sullivan, | Whaley,   |
| Dowell,   | Morton, | Thomas,   | Zevely—9. |
| Marshall, |         |           |           |

## Absent with leave—Senators

|           |          |          |
|-----------|----------|----------|
| Costello, | Orchard, | Tandy—3. |
|-----------|----------|----------|

## Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Drabelle moved to reconsider the vote by which the bill passed.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 137 being made a special order for 2:30 p. m. was taken up at that hour.

Senator Whaley moved that the bill be read third time and placed upon its passage.

Senator Haynes offered the following amendment:

Senate Amendment No. 1 to House bill No. 137:

Amend House bill No. 137 by adding to the end of section one of said bill the following: "But nothing in this act contained shall be construed as interfering with any person or persons who shall treat the sick, or others afflicted with mental or physical infirmity, pursuant to the tenets of their religious belief, without medicine: Provided, that sanitary and quarantine regulations relating to contagious diseases shall not be violated;"

Which was read.

Roll call demanded.

The amendment was lost by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Drabelle, | Haynes,   | Martin,   | Morton,     |
| Farris,   | Marshall, | Matthews, | Sullivan—8. |

## NAYS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Dowell,  | Ramp,       | Stubbs,    |
| Bradley,  | Fields,  | Rollins,    | Thomas,    |
| Clarke,   | Heather, | Rubey,      | Walker,    |
| Clay,     | Jewell,  | Schoenlaub, | Whaley,    |
| Collins,  | Lee,     | Smith,      | Zevely—22. |
| Davisson, | Orchard, |             |            |

## Absent with leave—Senators

|           |          |
|-----------|----------|
| Costello, | Tandy—2. |
|-----------|----------|

## Sick—Senator Cooper—1.

Senator Haynes offered the following amendment:

Senate amendment No. 2 to House bill No. 137:

Amend House bill No. 137 by adding to the end of section one of said bill, the following: "But nothing in this act contained shall be construed as interfering with any person or persons who shall treat the sick, or others afflicted with mental or physical infirmity, who are more than twenty-one years old, pursuant to the tenets of their religious belief, without medicine: Provided, that sanitary and quarantine regulations relating to contagious diseases shall not be violated;"

Which was read.

Roll call demanded.

The amendment was lost by the following vote:

YEAS—Senators

Haynes,  
Marshall,

Martin,  
Morton,

Rollins,

Sullivan—6.

NAYS—Senators,

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Heather,  
Jewell,  
Lee,

Matthews,  
Orchard,  
Ramp,  
Rubey,  
Schoenlaub,  
Smith,

Stubbs,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—24.

Absent with leave—Senators

Costello,

Fields—2.

Sick—Senator Cooper—1.

Senator Haynes offered the following amendment:

Senate amendment No. 3 to House bill No. 137:

Amend House bill No. 137 by striking out all of section 11 and substituting therefor the following:

Sec. 11. Article 1, chapter 128 of the Revised Statutes of Missouri, 1899, and all other acts inconsistent with the provisions of this act are hereby repealed.

Which was read and failed to pass.

Senator Haynes offered the following amendment:

Senate amendment No. 4 to House bill No. 137:

Amend House bill No. 137, by striking out of section 1 of said bill, the words "not now a registered physician within the meaning of the law," where they occur in the first and second lines of said section;

Which was read.

Roll call demanded.

Amendment was lost by the following vote:

YEAS—Senators

Davisson,  
Haynes,

Marshall,  
Matthews,

Rollins,

Sullivan—6.

NAYS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Heather,  
Jewell,  
Lee,  
Martin,

Morton,  
Orchard,  
Ramp,  
Rubey,  
Schoenlaub,  
Smith,

Stubbs,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—24.

Absent with leave—Senators

Clarke,

Costello—2.

Sick—Senator Cooper—1.

Senator Haynes offered the following amendment:

Senate amendment No. 5 to House bill No. 137:

Amend House bill No. 137 by striking out all after the enacting clause;

Which was read.

Roll call demanded.

The amendment was lost by the following vote:

YEAS—Senators

Haynes,  
Marshall,

Matthews,

Morton,

Sullivan—5.

NAYS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Heather,  
Jewell,  
Lee,  
Martin,

Orchard,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith.

Stubbs,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—26.

Absent with leave—Senator Costello—1.

Sick—Senator Cooper—1.

The question recurring on the motion to read the bill third time.

The motion prevailed.

House bill No. 137, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Heather,  
Jewell,  
Lee,

Martin,  
Orchard,  
Ramp,  
Rubey,  
Schoenlaub,  
Smith,

Stubbs,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—26.

NAYS—Senators

Haynes,  
Marshall,

Matthews,

Morton,

Sullivan—5.

Excused from voting—Senator Rollins—1.

Sick—Senator Cooper—1

Title to the bill read and agreed to.

Senator Whaley moved that the vote by which House bill, No. 137 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, in explanation of his vote on House bill No. 137, sent up and had read the following:

While I believe in allopath treatment to the exclusion of all other forms of treatment, I am nevertheless opposed to this bill because it is in contravention of section 5 of article 2 of the Constitution of the State, entitled "Bill of Rights," which provides "that no human authority can control or interfere with the rights of conscience; that no person ought by any law be molested in his person or estate on account of his religious persuasion or profession." I am opposed to this bill because if it becomes a law it will unwarrantably abridge personal liberty, interfere with individual rights and circumscribe the liberty of conscience. I am opposed to this bill because it is class legislation in the most vicious form. I am opposed to this bill because by its provision Christian Scientists and others may treat the sick and afflicted without being prosecuted for an offense, provided they do so without charge; thereby meaning that it is not the act of treatment that constitutes a crime, but the offense consists in receiving compensation for same. It is, therefore, manifest that it is not the welfare of the citizen that is to be protected, but it is the doctors' fees that are to be guarded. I am opposed to this bill because it gives to the State Board of Health unlimited power and from whose finding and conclusions there is no appeal.

Senator Rollins, at his request, was excused from voting.

Senator Clarke, in explanation of his vote on House bill No. 137, sent up the following statement:

Mr. President: I desire to say in explanation of my vote on House bill No. 137, that if I believed this bill in any manner abridged the rights of the humblest citizen of the State to worship God according to the dictates of his own conscience, I would not vote for its passage. If I believed it interfered with the labors of those who love humanity and are seeking for its elevation I would not vote for its passage. If I thought the

bill would lessen acts of mercy and charity among the afflicted and neglected I would not vote for it. I vote for the bill because I believe it will help and not hinder the work of alleviating the suffering among the people. If Christian Science is indeed a science they have nothing to fear from the passage of this bill if they are what is claimed for them, their rights will be protected by future legislation as have been the rights of all people whenever made apparent.

Senator Tandy, from the Committee on Engrossed Bills, submitted the five following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to charity boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines thereof, and inserting in lieu thereof the words, "fifteen hundred dollars in any one year," with emergency clause;

Also, Senate bill 291, entitled

An act to amend article 4 of chapter 119 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 7930a;

Also, Senate bill No. 266, entitled

An act to amend section 4778, chapter 60, article 2, of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large;"

Also, Senate bill No. 299, entitled

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties, and for the making of a report of the work thereof;

Also, committee substitute for Senate bill No. 215, entitled

An act to repeal section 7945, article VI, chapter 119, Revised Statutes of Missouri, 1899, entitled "Insurance other than life," and enact a new section in lieu thereof,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 2, entitled

An act to amend chapter 83 of the Revised Statutes of 1899, by repealing section 5157, and enacting three new sections in lieu thereof, to be known as sections 5157, 5157a, 5157b, relating to municipal bonds, and refunding municipal indebtedness;

Also Senate bill No. 132, entitled

An act entitled "An act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy," and to enact a new section relating to the same subject, to be known as section 7502, with an emergency clause,

Begs leave to report that it has compared the same, and finds them to be truly enrolled;

Which were read.

Senator Rubey moved that the rules be suspended, and that Senate bill No. 299 be taken up.

The motion prevailed.

Senate bill No. 299, entitled

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties, and for the making of a report of the work thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Bradley,  | Farris,   | Morton,     | Sullivan,  |
| Clarke,   | Fields,   | Orchard,    | Tandy,     |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Collins,  | Heather,  | Rollins,    | Walker,    |
| Costello, | Jewell,   | Rubey,      | Whaley,    |
| Davisson, | Marshall, | Schoenlaub, | Zevely—31. |
| Dowell,   | Martin,   | Smith,      |            |

NAYS—None.

Absent with leave—Senator Lee—1.

Sick—Senator Cooper—1.

The title of the bill was read.

Senator Rubey offered the following amendment:

Amend by striking out title and inserting the following:

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties, and for the making of a report of the work thereof;

Which read first and second times, and agreed to.

The title, as amended, was agreed to.

Senator Rubey moved that the vote by which the bill was passed be reconsidered.

Senator Costello moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Morton moved that the rules be suspended and that Senate bill No. 326 be taken up.

The motion prevailed.

Senate Bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund,"

Was ordered engrossed and printed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 327, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing section 5522 and enacting in lieu thereof a new section, to be known as section 5522,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Whaley, from the Committee on Railroads and Internal Improvements, submitted the following report:

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred Senate bill No. 324, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 403, entitled

An act to prevent the introduction and dissemination in Missouri of dangerous insect pests and fungoid or other contagious or infectious diseases dangerously injurious to fruit trees, vines, bushes or nursery stock, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Farris moved that House bills on third reading be made a special order for 7:30 this evening.

The motion prevailed.

House joint and concurrent resolution No. 12, entitled

Joint and concurrent resolution providing for the amendment of article ten (X) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (X), and inserting in lieu thereof a new section, to be known and designated as section twelve (12) relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri,

Was taken up and read first time.

Committee substitute for House bill No. 85, entitled

An act to amend section 10137, chapter 163, entitled "Strays" and relating to notice and bond,

Was taken up and read first time.

House bill No. 150, entitled

An act to repeal section 546 of article 1, chapter 8, Revised Statutes of Missouri, 1899, entitled "Code of civil procedure," and relating to the form of civil actions and the parties thereto and to enact two new sections in lieu thereof, to be known as sections 546 and 546a,

Was taken up and read first time.

House bill No. 184, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations,

Was taken up and read first time.

House bill No. 215, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause,

Was taken up and read first time.

House bill No. 235, entitled

An act to amend section 7084 of chapter 102, article 2 of the Revised Statutes of Missouri for 1899, relating to ballots, voting, nominations, etc.,

Was taken up and read first time.

House bill No. 394, entitled

An act to repeal section 9302; article 6, chapter 149 of the Revised Statutes of the State of Missouri, 1899, in relation to "Revenue," and enacting in lieu thereof a new section,

Was taken up and read first time.

House bill No. 457, entitled

An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands, and to amend section 8267, chapter 122, and to amend sections 8282, 8292, 8298 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands,

Was taken up and read first time.

House bill No. 558, entitled

An act to amend section 1725, chapter (14) fourteen, article (3) three, Revised Statutes of Missouri, 1899, relating to time of holding circuit court,

Was taken up and read first time.

Senate bill No. 310, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, so as to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

Was ordered engrossed and printed.

On motion of Senator Farris, Senate took a recess until 7:30 p. m.

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## NIGHT SESSION.

The hour of recess having expired,

The President Pro tem. Farris called the Senate to order.

Senator Thomas introduced Senate bill No. 336, entitled

An act to repeal sections 6616 and 6617 of the Revised Statutes of Missouri, 1899, relating to Congressional and electoral districts, and to enact a new section in lieu thereof, to be known as section 6616;

Read first time and 150 copies ordered printed.

Senate enrolled bill No. 2, entitled

An act to amend section 5157 of article one of chapter 83, Revised Statutes of Missouri of 1899, in relation to funding county, township, school district and other bonds,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 132, entitled

An act entitled "An act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy, and to enact a new section relating to the same subject, to be known as section 7502a, with an emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate bill No. 207, entitled

An act to punish the crime of stealing or maliciously removing journal bearings, fixtures or attachments from locomotives, tenders, freight or passengers cars,

Was called up by Senator Orchard and ordered engrossed and printed.

Senator Dowell called up Senate bill No. 63, and offered amendment No. 1, in the form of a substitute amendment to Senate bill No. 63;

Which was read first and second times and agreed to.

Substitute for Senate bill No. 63, entitled

An act to regulate the practice of veterinary medicine, veterinary surgery, or any branch thereof, including veterinary dentistry, in the State of Missouri, and prescribing penalty for the violation of the same,

Was ordered engrossed and printed, as amended by substitute.

House bill No. 79, entitled

An act to amend article 1, chapter 42, Revised Statutes of Missouri, 1899, entitled "Juries, grand and petit," by adding a new section thereto, to be known as section 3782a, and relating to the number of jurors necessary to concur in order to render a verdict.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Smith,     |
| Bradley,  | Drabelle, | Matthews,   | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Fields,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Rubey,      | Walker,    |
| Costello, | Jewell,   | Schoenlaub, | Zevely—26. |
| Davisson, | Lee,      |             |            |

## NAYS—Senators

|                            |          |        |           |
|----------------------------|----------|--------|-----------|
| Marshall,                  | Ramp—2.  |        |           |
| Absent with leave—Senators |          |        |           |
| Haynes,                    | Rollins, | Tandy, | Whaley—4. |
| Sick—Senator Cooper—1.     |          |        |           |

The title to the bill was read and agreed to.

Senator Biggs moved that the vote by which House bill No. 79 passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 196, entitled

An act to amend article 2 of chapter 43 of the Revised Statutes of 1899, by adding a new section thereto relating to the jurisdiction of justices of the peace,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Smith,     |
| Bradley,  | Drabelle, | Matthews,   | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Fields,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Ramp,       | Walker,    |
| Costello, | Jewell,   | Rubey,      | Zevely—27. |
| Davisson, | Marshall, | Schoenlaub, |            |

## NAYS—None.

## Absent with leave—Senators

|               |          |          |           |
|---------------|----------|----------|-----------|
| Haynes,       | Lee,     | Rollins, | Whaley—4. |
| Sick—Senators |          |          |           |
| Cooper,       | Tandy—2. |          |           |

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Martin,   | Schoenlaub, |
| Bradley,  | Drabelle, | Matthews, | Smith,      |
| Clarke,   | Farris,   | Morton,   | Stubbs,     |
| Clay,     | Fields,   | Orchard,  | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Costello, | Jewell,   | Rollins,  | Walker,     |
| Davisson, | Marshall, | Rubey,    | Zevely—28.  |

## NAYS—None.

## Absent with leave—Senators

|               |        |           |  |
|---------------|--------|-----------|--|
| Haynes,       | Lee—2. |           |  |
| Sick—Senators |        |           |  |
| Cooper,       | Tandy, | Whaley—3. |  |

The title to the bill was read and agreed to.

Senator Jewell moved to reconsider the vote by which the bill and emergency clause passed.

Senator Clarke moved to lay that motion on table.

The latter motion prevailed.

House bill No. 483, entitled

An act to amend article 2 of chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections by adding thereto a new section, to be known as section 7084a,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Schoenlaub, |
| Bradley,  | Drabelle, | Martin,   | Smith,      |
| Clarke,   | Farris,   | Matthews, | Stubbs,     |
| Clay,     | Fields,   | Morton,   | Thomas,     |
| Collins,  | Heather,  | Orchard,  | Walker,     |
| Costello, | Jewell,   | Ramp,     | Zevely—27.  |
| Davisson, | Lee,      | Rubey,    |             |

## NAYS—Senator Sullivan—1.

Absent with leave—Senators

Haynes, Rollins—2.

## Sick—Senators

Cooper, Tandy, Whaley—3.

The title to the bill was read and agreed to.

Senator Zevely moved that the vote by which House bill No. 483 was passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

Substitute for House bill Nos. 56, 104 and 30, entitled

An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections, to be known as sections 9696a, 9696b, 9696c, 9696d, 9696e, 9696f, 9696g, 9696h, 9696i, 9696j, 9696k, 9696l, 9696m, 9696n, 9696o, 9696p, 9696q, 9696r, 9696s, 9696t, 9696u, 9696v, 9696w, 9696x, 9696y, 9696z, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Lee,        | Stubbs,    |
| Bradley,  | Drabelle, | Matthews,   | Thomas,    |
| Clay,     | Farris,   | Orchard,    | Walker,    |
| Collins,  | Fields,   | Schoenlaub, | Zevely—19. |
| Costello, | Jewell,   | Smith,      |            |

## NAYS—Senators

|           |           |         |             |
|-----------|-----------|---------|-------------|
| Davisson, | Marshall, | Morton. | Sullivan—7. |
| Heather,  | Martin,   | Ramp,   |             |

Absent with leave—Senators

|         |         |          |          |
|---------|---------|----------|----------|
| Clarke, | Haynes, | Rollins, | Rubey—4. |
|---------|---------|----------|----------|

## Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Marshall,   | Smith,     |
| Bradley,  | Drabelle, | Martin,     | Stubbs,    |
| Clay,     | Farris,   | Morton.     | Sullivan,  |
| Collins,  | Fields,   | Orchard,    | Thomas,    |
| Costello, | Jewell,   | Rubey,      | Walker,    |
| Davisson, | Lee,      | Schoenlaub, | Zevely—24. |

## NAYS—Senators

|          |         |
|----------|---------|
| Heather, | Ramp—2. |
|----------|---------|

Absent with leave—Senators

|         |         |           |            |
|---------|---------|-----------|------------|
| Clarke, | Haynes, | Matthews, | Rollins—4. |
|---------|---------|-----------|------------|

## Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

Title to the bill read and agreed to.

Senator Orchard moved that the vote by which substitute for House bills Nos. 56, 104 and 30, together with the emergency clause, was passed, be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, entitled

An act to repeal sections 9427, 9432, 9436 and 9437, article 1, chapter 151, Revised Statutes of Missouri 1899, and to enact four new sections in lieu thereof, to be known as sections 9427, 9432, 9436 and 9437.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Stubbs,    |
| Bradley,  | Drabelle, | Morton,     | Sullivan,  |
| Clay,     | Farris,   | Orchard,    | Thomas,    |
| Collins,  | Fields,   | Rubey,      | Walker,    |
| Costello, | Jewell,   | Schoenlaub, | Zevely—23. |
| Davisson, | Lee,      | Smith,      |            |

NAYS—Senators

|                            |           |           |            |
|----------------------------|-----------|-----------|------------|
| Heather,                   | Marshall, | Ramp—3.   |            |
| Absent with leave—Senators |           |           |            |
| Clarke,                    | Haynes,   | Matthews, | Rollins—4. |
| Sick—Senators              |           |           |            |
| Cooper,                    | Tandy,    | Whaley—3. |            |

The title to the bill was read and agreed to.

Senator Lee moved that the vote by which committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 221, entitled

An act to amend section 3500 of chapter 34 of Revised Statutes of Missouri of 1899, entitled "Guardians and curators,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clay,     | Fields,   | Morton,     | Sullivan,  |
| Collins,  | Haynes,   | Orchard,    | Thomas,    |
| Costello, | Heather,  | Ramp,       | Walker,    |
| Davisson, | Jewell,   | Rubey,      | Zevely—27. |
| Dowell,   | Lee,      | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

|               |           |            |
|---------------|-----------|------------|
| Clarke,       | Marshall, | Rollins—3. |
| Sick—Senators |           |            |
| Cooper,       | Tandy,    | Whaley—3.  |

The title to the bill was read and agreed to.

Senator Sullivan moved that the vote by which House bill No. 221 passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

The following communications was received from the House of Representatives through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that there has been introduced into and passed by the House,

House bill No. 594, entitled

An act to repeal sections 7224, 7226, 7229, 7242 and 7267 of article 8, chapter 102, Revised Statutes of Missouri, 1899, relating to registrations and elections in cities with 300,000 inhabitants or over and to

enact five (5) new sections in lieu thereof, to be known as sections 7224, 7226, 7229, 7242 and 7267, with emergency clause;

In which the concurrence of the Senate is respectfully requested.

Also, Senate bill No. 153, entitled

An act to amend article 8 of chapter 102 of the Revised Statutes, 1899, entitled "Registrations and elections in cities of 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks and the payment thereof by such cities, with amendment to title;

Also, amended committee substitute for Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of 1899, entitled "Fees;"

Also, committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of the act, with an emergency clause, and has adopted majority report on above bill, a copy of which is attached to the bill herewith reported;

Which were read.

House bill No. 302, entitled

An act to amend section 7808 by inserting in the fourth line thereof between the figure "3" and the word "school," the following words and figures, viz.: "State Hospital for Insane No. 4," "The Missouri Colony for the Feeble Minded and Epileptic," so that said section will read as follows,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Farris,  | Marshall, | Schoenlaub, |
| Bradley,  | Fields,  | Martin,   | Smith,      |
| Clay,     | Haynes,  | Matthews, | Stubbs,     |
| Collins,  | Heather, | Morton,   | Sullivan,   |
| Costello, | Jewell,  | Orchard,  | Thomas,     |
| Dowell,   | Lee,     | Ramp,     | Walker—25.  |
| Drabelle, |          |           |             |

NAYS—None.

Absent with leave—Senators

|           |          |        |           |
|-----------|----------|--------|-----------|
| Clarke,   | Rollins, | Rubey, | Zevely—5. |
| Davisson, |          |        |           |

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The title to the bill was read and agreed to.

302 Senator Walker moved that the vote by which House bill No. passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 234, entitled

An act changing the names of certain eleemosynary institutions,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Matthews,   | Smith,     |
| Bradley,  | Fields,   | Morton,     | Stubbs,    |
| Clay,     | Haynes,   | Orchard,    | Sullivan,  |
| Collins,  | Heather,  | Ramp,       | Thomas,    |
| Costello, | Jewell,   | Rubey,      | Walker,    |
| Dowell,   | Lee,      | Schoenlaub, | Zevely—26. |
| Drabelle, | Marshall, |             |            |

NAYS—None.

Absent with leave—Senators

|         |           |         |            |
|---------|-----------|---------|------------|
| Clarke, | Davisson, | Martin, | Rollins—4. |
|---------|-----------|---------|------------|

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which House bill No. 234, passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 63, entitled

An act to amend section 4987 of the Revised Statutes of 1899, relating to county counselors, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote :

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Matthews,   | Smith,     |
| Bradley,  | Fields,   | Morton,     | Stubbs,    |
| Clay,     | Haynes,   | Orchard,    | Sullivan,  |
| Collins,  | Jewell,   | Ramp,       | Thomas,    |
| Costello, | Lee,      | Rubey,      | Walker,    |
| Dowell,   | Marshall, | Schoenlaub, | Zevely—25. |
| Drabelle, |           |             |            |

NAYS—None.

Absent with leave—Senators

|         |          |         |            |
|---------|----------|---------|------------|
| Clarke, | Heather, | Martin, | Rollins—5. |
|---------|----------|---------|------------|

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The emergency clause to the bill was adopted by the following vote :

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Farris,  | Matthews,   | Smith,     |
| Bradley,  | Haynes,  | Morton,     | Stubbs,    |
| Clay,     | Heather, | Orchard,    | Sullivan,  |
| Collins,  | Jewell,  | Ramp,       | Thomas,    |
| Costello, | Lee,     | Rubey,      | Walker,    |
| Dowell,   | Martin,  | Schoenlaub, | Zevely—25. |
| Drabelle, |          |             |            |

NAYS—None.

Absent with leave—Senators

|         |         |           |            |
|---------|---------|-----------|------------|
| Clarke, | Fields, | Marshall, | Rollins—5. |
|---------|---------|-----------|------------|

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

Title to the bill was read and agreed to.

Senator Thomas moved that the vote by which House bill No. 63, together with the emergency clause, was passed, be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 146, entitled

An act amending section ten thousand five hundred and eleven of the Revised Statutes of 1899, relating to the Board of Visitors of the State University,

Was read third time, placed upon its passage, and passed by the following vote :

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Farris,   | Martin,   | Schoenlaub, |
| Bradley,  | Fields,   | Matthews, | Smith,      |
| Clay,     | Haynes,   | Morton,   | Stubbs,     |
| Collins,  | Heather,  | Orchard,  | Sullivan,   |
| Costello, | Jewell,   | Ramp,     | Thomas,     |
| Dowell,   | Lee,      | Rollins,  | Walker,     |
| Drabelle, | Marshall, | Rubey,    | Zevely—28.  |

NAYS—None.

Absent with leave—Senators

Clarke,                      Davisson—2.

Sick—Senators

Cooper,                      Tandy,                      Whaley—3.

Title to the bill was read and agreed to.

Senator Rubey moved that the vote by which House bill No. 146 was passed be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 324, entitled

An act to amend article five of chapter ninty-one of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section number 6003a, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

House bill No. 253, entitled

An act amending section 3285 of article II of chapter 27 of the Revised Statutes of Missouri of 1899, relating to salary of certain officers,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Farris,   | Martin,   | Schoenlaub, |
| Bradley,  | Fields,   | Matthews, | Smith,      |
| Clay,     | Haynes,   | Morton,   | Stubbs,     |
| Collins,  | Heather,  | Orchard,  | Sullivan,   |
| Costello, | Jewell,   | Ramp,     | Thomas,     |
| Davisson, | Lee,      | Rollins,  | Walker,     |
| Dowell,   | Marshall, | Rubey,    | Zevely—29.  |
| Drabelle, |           |           |             |

NAYS—None.

Absent with leave—Senator Clarke—1.

Sick—Senators

Cooper,                      Tandy,                      Whaley—3.

The title to the bill was read and agreed to.

Senator Haynes moved to reconsidered the vote by which the bill passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 173, entitled

An act to repeal section 8828, chapter 133, article 2 of the Revised Statutes of 1899 of the State of Missouri, relating to safety and inspection of mines, and to enact a new section in lieu thereof, relating to safety and inspection of mines,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Marshall, | Rubey,     |
| Bradley,  | Farris,   | Martin,   | Smith,     |
| Clay,     | Fields,   | Matthews, | Stubbs,    |
| Collins,  | Haynes,   | Morton,   | Sullivan,  |
| Costello, | Heather,  | Orchard,  | Walker,    |
| Davisson, | Jewell,   | Ramp,     | Zevely—27. |
| Dowell,   | Lee,      | Rollins,  |            |

NAY—Senator Thomas—1.

Absent with leave—Senators

Clarke, Schoenlaub—2.

Sick—Senators

Cooper, Tandy, Whaley—3.

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which House bill No. 173 passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 122, entitled

An act to amend chapter 110, Revised Statutes of 1899, by adding a new section thereto, known as section 7503b, relating to geology and mineralogy—new section as to duties of State Geologist,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Farris,   | Martin,   | Smith,     |
| Bradley,  | Fields,   | Matthews, | Stubbs,    |
| Clay,     | Heather,  | Morton,   | Sullivan,  |
| Collins,  | Jewell,   | Orchard,  | Thomas,    |
| Costello, | Lee,      | Rollins,  | Walker,    |
| Dowell,   | Marshall, | Rubey,    | Zevely—25. |
| Drabelle, |           |           |            |

NAYS—None.

Absent with leave—Senators

Clarke, Haynes, Ramp, Schoenlaub—5.

Sick—Senators

Cooper, Tandy, Whaley—3.

Title to the bill was read and agreed to.

Senator Clay moved that the vote by which House bill No. 122 was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for House bill No. 13 was taken up, and on motion of Senator Orchard, 150 copies of the substitute was ordered printed for the information of the Senate and that the printing have precedence.

House bill No. 51, entitled

An act to amend section 9865, chapter 154, article 2, Revised Statutes of Missouri, 1899, entitled "City, town and village schools," by adding a new section thereto, to be known as section 9865a,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Matthews,   | Smith,     |
| Bradley,  | Haynes,   | Morton,     | Stubbs,    |
| Clay,     | Heather,  | Orchard,    | Sullivan,  |
| Collins,  | Jewell,   | Rollins,    | Thomas,    |
| Costello, | Lee,      | Rubey,      | Walker,    |
| Dowell,   | Marshall, | Schoenlaub, | Zevely—26. |
| Farris,   | Martin,   |             |            |

NAYS—None.

Absent with leave—Senators

Clarke, Davisson, Drabelle, Ramp—4.

Sick—Senators

Cooper, Tandy, Whaley—3.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which Senate bill No. 51 was passed be reconsidered.

Senator Lee moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 65, entitled

An act to apportion the State of Missouri into representative districts, and to provide for the representation thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clay,     | Fields,   | Morton,   | Stubbs,     |
| Collins,  | Haynes,   | Orchard,  | Thomas,     |
| Costello, | Heather,  | Rollins,  | Walker,     |
| Davison,  | Jewell,   | Rubey,    | Zevely—25.  |
| Dowell,   |           |           |             |

NAY—Senator, Martin—1.

Absent with leave—Senators

|         |      |       |             |
|---------|------|-------|-------------|
| Clarke, | Lee, | Ramp, | Sullivan—4. |
|---------|------|-------|-------------|

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

Title to the bill was read and agreed to.

Senator Thomas moved that the vote by which House bill No. 65 was passed be reconsidered.

Senator Orchard moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Sullivan, Senate bill No. 217, entitled

An act to repeal section 9800 of article 1, chapter 154 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Was ordered engrossed and printed.

On motion of Senator Rollins, Senate bill No. 20, entitled

An act to amend sections 1313 and 1314, Revised Statutes, 1899, so as to require directors or managers to make oath to their statement for articles of incorporation and providing for the original sworn statement to be filed with Secretary of State,

Was ordered engrossed and printed.

Senate bill No. 97, entitled

An act to amend chapter 12, article 9 of the Revised Statutes of 1899, entitled "Corporations, private," by adding a new section thereto, to be known as section 1314a, making it the duty of the Secretary of State to investigate statements made for articles of incorporation, and and upon discovery of fraud to revoke certificate of incorporation and submit results to the grand jury,

Was taken up, read second time, and ordered engrossed and printed.

Senate bill No. 98, entitled

An act to require foreign corporations, not subject to prosecution in this State for making false affidavits for securing certificates of incorporation, to pay an annual tax,

Was taken up, read second time, and ordered engrossed and printed.

House bill No. 252, entitled

An act amending section 6169 of article 9 of chapter 91 of the Re-

vised Statutes of Missouri, 1899, by striking out the figures "100,000," in the third line of said section, and inserting in lieu thereof the figures "150,000,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Marshall, | Smith,     |
| Bradley,  | Farris,   | Martin,   | Stubbs,    |
| Clay,     | Fields,   | Matthews, | Sullivan,  |
| Collins,  | Haynes,   | Morton,   | Thomas,    |
| Costello, | Heather,  | Orchard,  | Walker,    |
| Davisson, | Jewell,   | Rubey,    | Zevely—26. |
| Dowell,   | Lee,      |           |            |

## NAY—Senator Rollins—1.

## Absent with leave—Senators

|               |        |               |
|---------------|--------|---------------|
| Clarke,       | Ramp,  | Schoenlaub—3. |
| Sick—Senators |        |               |
| Cooper,       | Tandy, | Whaley—3.     |

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Marshall, | Smith,     |
| Bradley,  | Farris,   | Martin,   | Stubbs,    |
| Clay,     | Fields,   | Matthews, | Sullivan,  |
| Collins,  | Haynes,   | Morton,   | Thomas,    |
| Costello, | Heather,  | Orchard,  | Walker,    |
| Davisson, | Jewell,   | Rollins,  | Zevely—27. |
| Dowell,   | Lee,      | Rubey,    |            |

## NAYS—None.

## Absent with leave—Senators

|               |        |               |
|---------------|--------|---------------|
| Clarke,       | Ramp,  | Schoenlaub—3. |
| Sick—Senators |        |               |
| Cooper,       | Tandy, | Whaley—3.     |

Title read.

Senator Haynes offered the following amendment to the title:

Amend title to House bill No. 252 by inserting between the figures "1899" and the word "by" in line 2 of printed bill, the following words: "Entitled cities, towns and villages and relating to the enactment of ordinances;"

Which was read and agreed to.

Title to the bill, as amended, was read and agreed to.

Senator Haynes moved that the vote by which House bill No. 252, was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 417, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary, educational institutions and members of police and election boards from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Dowell,  | Lee,      | Smith,     |
| Bradley,  | Farris,  | Martin,   | Stubbs,    |
| Clay,     | Fields,  | Matthews, | Sullivan,  |
| Collins,  | Haynes,  | Morton,   | Thomas,    |
| Costello, | Heather, | Rollins,  | Walker,    |
| Davisson, | Jewell,  | Rubey,    | Zevely—14. |

## NAYS—None.

## Absent with leave—Senators

|                      |                      |       |               |
|----------------------|----------------------|-------|---------------|
| Clarke,<br>Drabelle, | Marshall,<br>Orchard | Ramp, | Schoenlaub—6. |
|----------------------|----------------------|-------|---------------|

## Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The emergency clause was adopted by the following vote:

## YEAS—Senators

|  |  |   |  |
|--|--|---|--|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Heather,<br>Jewell,<br>Marshall, | Martin,<br>Matthews,<br>Morton,<br>Orchard,<br>Rollins,<br>Rubey, | Smith,<br>Stubbs,<br>Sullivan,<br>Thomas,<br>Walker,<br>Zevely—26. |
|--|--|---|--|

## NAYS—None.

## Absent with leave—Senators

|         |      |       |               |
|---------|------|-------|---------------|
| Clarke, | Lee, | Ramp, | Schoenlaub—4. |
|---------|------|-------|---------------|

## Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 238, entitled

An act to amend section 8919, article 1, chapter 141, Revised Statutes of Missouri, 1899, relating to release of State penitentiary convicts under the three-fourths rule,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|  |   |  |   |
|--|---|--|---|
| Biggs,<br>Clay,<br>Collins,<br>Costello,<br>Davisson,<br>Drabelle, | Farris,<br>Fields,<br>Haynes,<br>Jewell,<br>Lee,<br>Martin, | Matthews,<br>Morton,<br>Orchard,<br>Rollins,<br>Rubey, | Schoenlaub,<br>Smith,<br>Stubbs,<br>Walker,<br>Zevely—22. |
|--|---|--|---|

## NAYS—Senators,

|                     |          |           |           |
|---------------------|----------|-----------|-----------|
| Bradley,<br>Dowell, | Heather, | Sullivan. | Thomas—5. |
|---------------------|----------|-----------|-----------|

## Absent with leave—Senators

|         |           |         |
|---------|-----------|---------|
| Clarke, | Marshall, | Ramp—3. |
|---------|-----------|---------|

## Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

Title to the bill was read and agreed to.

Senator Collins moved that the vote by which the bill was passed be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 216, entitled

An act to authorize the transfer of fifty thousand dollars from the Insurance Department fund to the State Revenue fund,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|   |   |  |  |
|---|---|--|--|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Heather,<br>Jewell, | Marshall,<br>Martin,<br>Matthews,<br>Morton,<br>Orchard,<br>Rollins, | Rubey,<br>Schoenlaub,<br>Stubbs,<br>Thomas,<br>Walker,<br>Zevely—24. |
|---|---|--|--|

## NAY—Senator Sullivan—1.

Absent with leave—Senators

|                      |      |       |          |
|----------------------|------|-------|----------|
| Clarke,<br>Costello, | Lee, | Ramp, | Smith—5. |
|----------------------|------|-------|----------|

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

The title to the bill was read and agreed to.

Senator Rubey moved that the vote by which House bill No. 216 passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey called up Senate joint and concurrent resolution No. 13, and moved that it be ordered engrossed and printed.

Senate joint and concurrent resolution No. 13, entitled

Joint and concurrent resolution providing for the amendment of article ten (X) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (X), and inserting in lieu thereof a new section, to be known and designated as section twelve (12), relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri,

Was taken up and ordered engrossed and printed.

House bill No. 594, entitled

An act to repeal sections 7224, 7226, 7229, 7242 and 7267 of article 8, chapter 102, Revised Statutes of Missouri of 1899, relating to registrations and elections in cities with three hundred thousand inhabitants or over, and to enact five new sections in lieu thereof, to be known as sections 7224, 7226, 7229, 7242 and 7267, with emergency clause,

Was ordered engrossed and printed.

House bill No. 170, entitled

An act to repeal section 7957 of article VI of chapter 119 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, to be known as section 7957, and to take the place of said section in said article VI of said chapter 119, and relating to insurance,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|  |  |   |  |
|--|--|---|--|
| Bradley,<br>Clay,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Heather, | Martin,<br>Morton,<br>Rubey,<br>Schoenlaub,<br>Smith, | Stubbs,<br>Sullivan,<br>Thomas,<br>Walker,<br>Zevely—20. |
|--|--|---|--|

NAYS—Senators

|                |           |           |            |
|----------------|-----------|-----------|------------|
| Biggs,<br>Lee, | Marshall, | Matthews, | Rollins—5. |
|----------------|-----------|-----------|------------|

Absent with leave—Senators

|                     |         |          |         |
|---------------------|---------|----------|---------|
| Clarke,<br>Collins, | Jewell, | Orchard, | Ramp—5. |
|---------------------|---------|----------|---------|

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Whaley—3. |
|---------|--------|-----------|

Title to the bill was read and agreed to.

Senator Fields moved that the vote by which House bill No. 170 was passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

The President announced the appointment of the following committee:

March 7, 1901.

To the Senate:

In accordance with resolution adopted by the Senate this day, I hereby appoint the following committee of five to investigate the rates of compensation for convict employment in the penitentiary of Missouri:

Senators Morton (chairman), Collins, Heather, Zevely, Jewell.

On motion of Senator Morton, Senate adjourned until 10 a. m. tomorrow.

## FORTY-EIGHTH DAY—Friday, March 8, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Ramp presented three petitions from citizens of Greene county, members of the Brotherhood of Locomotive Fireman Associations, also, Cigar-Makers Local Union No. 23 of Springfield, Mo., asking for the passage of House bill No. 375, as amended, "save section 10," against the employment of children under fourteen years of age during school hours;

Which were read and referred to the Committee on Labor, Mines and Manufactories.

Senator Thomas presented three petitions from citizens of Jasper and Vernon counties, members of Brotherhood of Railway Trainmen Lodge No. 365 of Nevada, Joplin Local Union No. 311, Carpenters and Joiners, also Barbers' Union, praying for the passage of House bill No. 375 (save section No. 10), which prohibit the employment of children under fourteen years of age during the usual school hours;

Which were read and referred to the Committee on Labor, Mines and Manufactories.

Senator Zevely presented a petition from Typographical Local Union No. 119 of Jefferson City, asking for the passage of House bill No. 375, as amended (save section 10), prohibiting the employment of children during school hours;

Which was read and referred to Committee on Labor, Mines and Manufactories.

Senator Zevely presented a remonstrance from citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Which was read and referred to Committee on Criminal Jurisprudence.

The following communication from the Governor, through his Private Secretary, Mr. Crenshaw, was received:

Executive Department, State of Missouri,  
Jefferson City, March 8, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 43, entitled "An act fixing the times for holding court in the Fifteenth judicial circuit and in the criminal court of the Fifteenth circuit of the State of Missouri."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

Senator Morton, from the Committee on Louisiana Purchase Centennial, submitted the following report:

Mr. President: Your Committee on Louisiana Purchase Centennial, to which was referred House bill No. 528, entitled

An act providing for a Board of Commissioners to the Pan-American Exposition at Buffalo, New York, and the South Carolina Interstate and West Indian Exposition at Charleston, prescribing their powers and duties and appropriating money therefor, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendments;

Which was read.

Amendment No. 1:

Amend printed House bill No. 528 by striking out the figures "\$50.00," in section 2, line 14, and insert in lieu thereof the words and figures "\$200.00 and his actual traveling expenses;"

Read first and second times and agreed to.

Amendment No. 2:

Amend printed House bill No. 528, section 4, line 3, by inserting between the words "exposition" and "and," the following: "subject to the approval of the Governor;"

Read first and second times and agreed to.

Senate amendment No. 3:

Amend House bill No. 528 by striking out section 5, and by inserting in lieu thereof the following, to be known as section 5 of said bill:

Section 5. Upon request of the Governor, the said board shall make detailed reports of its proceedings from time to time, showing moneys received and disbursed and on what account, which said reports and detailed statements of receipts and expenditures shall be by the Governor submitted to the General Assembly, whenever called for. Upon the order of the board, requisitions may be made upon the State Auditor, monthly, for expenses incurred by the members of the board during the preceding month and for such additional sums of money as the board may deem necessary to defray the cost of materials, cost of transportation and other incidental expenses for the ensuing month, which said requisitions shall be signed by the president,, attested by the secretary and approved by the Governor. The said requisitions shall, in each case, be accompanied by a detailed statement showing moneys received during the preceding month; the balance brought over, if any; properly receipted vouchers for expenditures during the preceding month and itemized estimates covering the sums necessary to defray the expenses of the board during the ensuing month. Upon the conclusion of the work of the board, a full and detailed report of all its proceedings and of moneys received and disbursed shall be submitted to the Governor, which shall be by him submitted to the General Assembly, whenever called for.

Read first and second times and agreed to.

Senator Morton moved to suspend the rules and take up House bill No. 528.

The motion prevailed.

House bill No. 528, entitled

An act providing for a Board of Commissioners to Pan-American Exposition at Buffalo, New York, and the South Carolina Interstate and West Indian Exposition at Charleston, prescribing their powers and duties and appropriating money therefor, with an emergency cluse,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,  
Drabelle,  
Farris,  
Fields,  
Heather,  
Jewell,  
Lee,  
Marshall,

Martin,  
Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubeys,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—28.

NAY—Senator Zevely—1.

Absent with leave—Senators

\*Clarke,

Cooper,

Haynes,

Matthews—4.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Davisson,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,  
Marshall,

Martin,  
Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—28.

NAYS—None.

Absent with leave—Senators

Clarke,  
Cooper,

Costello,

Matthews,

Zevely—5.

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which House bill No. 528 passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 155, entitled

An act regulating county recorder's fees,

Begs leave to report that it has examined the same and recommends that the accompanying amendment be agreed to and make no further amendment;

Which was read.

Senate amendment No. 1 to House bill No. 155:

Amend House bill No. 155 by adding after the word "county," in line 20 of section 1, the following: "Provided, that the recorder of deeds in counties having a population exceeding 45,000 and less than 150,000 may retain not to exceed four thousand dollars per annum for his services;"

Read first and second times and agreed to.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 240, entitled

An act relating to the payment of costs in criminal cases in cities having a population of three hundred thousand or over;

Also, Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment and abolishing the office of chief clerk in the office of the Attorney-General,

Also, Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Committee substitute for House bill No. 85 entitled

An act to amend section 10137, chapter 163, entitled "Strays," and relating to notice and bond,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 150, entitled

An act to repeal section 546 of article 1, chapter 8, Revised Statutes of Missouri, 1899, entitled "Code of civil procedure," and relating to the form of civil actions and the parties thereto, and to enact two new sections in lieu thereof, to be known as sections 546 and 546a,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 184, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations,

Was taken up, read second time, and referred to Committee on Private Corporations.

House bill No. 215, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause,

Was taken up, read second time, and referred to Committee on Agriculture, Roads and Highways and Ferries.

House bill No. 235, entitled

An act to amend section 7084 of chapter 102, article 2 of the Revised Statutes of Missouri for 1899, relating to ballots, voting, nominations, etc.,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

House bill No. 394, entitled

An act to repeal section 9302, article 6, chapter 149 of the Revised Statutes of the State of Missouri, 1899, in relation to revenue, and enacting in lieu thereof a new section,

Was taken up, read second time, and referred to Committee on Ways and Means.

House bill No. 457, entitled

An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands, and to amend section 8267, chapter 122, and to amend sections 8282, 8292, 9298 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands,

Was taken up, read second time, and referred to Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains.

House bill No. 558, entitled

An act to amend section 1725, chapter (14) fourteen, article (3)

three, Revised Statutes of Missouri, 1899, relating to time of holding circuit court,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 594, entitled

An act to repeal sections 7224, 7226, 7229, 7242 and 7267 of article 8, chapter 102, Revised Statutes of Missouri of 1899, relating to registrations and elections in cities with three hundred thousand inhabitants or over, and to enact five new sections in lieu thereof, to be known as sections 7224, 7226, 7229, 7242 and 7267, with emergency clause,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

Substitute for House joint and concurrent resolution No. 12, entitled Joint and concurrent resolution providing for the amendment of article ten (X) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (X) and inserting in lieu thereof a new section, to be known and designated as section twelve (12), relating to the limit of indebtedness of counties, cities, towns, townships, schools districts and other political corporations and subdivisions of the State of Missouri,

Was taken up, read second time, and referred to Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senate bill No. 245, entitled

An act to repeal section 3244 of chapter 27, article one of the Revised Statutes of the State of Missouri of 1899, entitled "Salaries and fees," and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Orchard,    | Stubbs,    |
| Bradley,  | Haynes,   | Ramp,       | Sullivan,  |
| Clay,     | Jewell,   | Rollins,    | Tandy,     |
| Collins,  | Marshall, | Rubey,      | Thomas,    |
| Davisson, | Matthews, | Schoenlaub, | Walker,    |
| Dowell,   | Morton,   | Smith,      | Zevely—25. |
| Drabelle, |           |             |            |

Nav—Senator Heather—1.

Absent with leave—Senators

|         |           |         |           |
|---------|-----------|---------|-----------|
| Clarke, | Costello, | Lee,    | Whaley—7. |
| Cooper, | Fields,   | Martin, |           |

Title to the bill was read and agreed to.

Senator Orchard moved that the vote by which the bill was passed be reconsidered.

Senator Lee moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 232, entitled

An act relating to propagation and preservation of game animals, birds and fish,

Was read third time and failed to pass by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Davisson, | Lee,      | Stubbs,    |
| Clay,     | Dowell,   | Matthews, | Walker,    |
| Collins,  | Heather,  | Rollins,  | Zevely—15. |
| Costello, | Jewell,   | Smith,    |            |

## NAYS—Senators

Bradley,  
Farris,  
Fields,  
Marshall,Martin,  
Morton,  
Orchard,Rubey,  
Schoenlaub,  
Sullivan,Tandy,  
Thomas,  
Whaley—13.

## Absent with leave—Senators

Clarke,  
Cooper,

Drabelle,

Haynes,

Ramp—5.

Senate bill No. 154, entitled

An act to amend section 4358 of chapter 52, Revised Statutes of Missouri of 1899 of the mortgages and deeds of trust law, entitled "Acknowledgment of satisfaction and release, how made,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,Dowell,  
Farris,  
Fields,  
Heather,  
Jewell,  
Lee,Martin,  
Matthews,  
Morton,  
Orchard,  
Ramp,  
Rubey,Schoenlaub,  
Stubbs,  
Tandy,  
Walker,  
Zevely—23.

## NAYS—None.

## Absent with leave—Senators

Clarke,  
Cooper,  
Drabelle,Haynes,  
Marshall,  
Rollins,Smith,  
Sullivan,Thomas,  
Whaley—10.

Title to the bill was read and agreed to.

Senator Clay moved that the vote by which the bill was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

Senate bills Nos. 215 and 156 were taken up and laid over informally.

Senate bill No. 266, entitled

An act to amend section 4778, chapter 60, article 2 of the Revised Statutes of Missouri, 1899, entitled "Animals restrained from running at large,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,Dowell,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,Lee,  
Martin,  
Morton,  
Ramp,  
Rollins,  
Rubey,Schoenlaub,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker—24.

## NAYS—None.

## Absent with leave—Senators

Clarke,  
Cooper,  
Drabelle,Marshall,  
Matthews,Orchard,  
Smith,Whaley,  
Zevely—9.

The title to the bill was read and agreed to.

Senator Tandy moved that the vote by which the bill passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senator Clarke was granted leave of absence on account of sickness.

Senate bill No. 291, entitled

An act to amend article IV of chapter 119 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 7930a,

Was read third time, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Matthews,   | Smith,     |
| Bradley,  | Haynes,   | Morton,     | Stubbs,    |
| Clay,     | Heather,  | Orchard,    | Sullivan,  |
| Collins,  | Jewell,   | Ramp,       | Tandy,     |
| Costello, | Lee,      | Rollins,    | Thomas,    |
| Davisson, | Marshall, | Rubey,      | Walker,    |
| Dowell,   | Martin,   | Schoenlaub, | Whaley—29. |
| Farris,   |           |             |            |

## NAYS—None.

## Absent with leave—Senators

|         |         |           |           |
|---------|---------|-----------|-----------|
| Clarke, | Cooper, | Drabelle, | Zevely—4. |
|---------|---------|-----------|-----------|

Title to the bill was read and agreed to.

Senator Rubey moved that the vote by which the bill was passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 292, entitled

An act to amend chapter 20, Revised Statutes of the State of Missouri, 1899, entitled "Divorce, alimony and custody of children," by adding two new sections thereto, to be known as sections 2932a and 2932b,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Bradley,  | Drabelle, | Rollins,  | Thomas,    |
| Clay,     | Farris,   | Stubbs,   | Walker,    |
| Collins,  | Fields,   | Sullivan, | Whaley,    |
| Costello, | Haynes,   | Tandy,    | Zevely—18. |
| Dowell,   | Matthews, |           |            |

## NAYS—Senators,

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Biggs,    | Marshall, | Orchard, | Schoenlaub, |
| Davisson, | Martin,   | Ramp,    | Smith—11.   |
| Heather,  | Morton,   | Rubey,   |             |

## Absent with leave—Senators

|         |         |         |        |
|---------|---------|---------|--------|
| Clarke, | Cooper, | Jewell, | Lee—4. |
|---------|---------|---------|--------|

Title to the bill read and agreed to.

Senator Haynes moved that the vote by which Senate bill No. 292 was passed be reconsidered.

Senator Whaley moved to lay that motion on the table.

The latter motion prevailed.

Senator Whaley, from the Committee on Railroads and Internal Improvements, submitted the following report:

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred House bill No. 40, entitled

An act to amend section 1111 of article 2 of chapter 12 of Revised Statutes of Missouri, 1899, entitled "Railroad companies,"

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendment;

Which was read.

Senator Farris, from the Committee on Private Corporations, submitted the two following reports:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 308, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of Missouri, 1899, entitled "Mutual saving fund, building and loan associations,"

Begs leave to report that it has examine the same and recommends that it do pass;

Which were read.

Senator Dowell called up Senate bill No. 130 and moved to reconsider the vote by which the bill failed to pass.

The motion prevailed.

Senate bill No. 130, entitled

An act to repeal section 2997 of article 1, chapter 22 of the Revised Statutes of Missouri of 1899, entitled "Dramshops," and by enacting a new section in lieu thereof, to be known as section 2997,

Was read third time and failed to pass by the following vote:

YEAS—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Bradley,  | Heather,  | Morton,  | Schoenlaub, |
| Collins,  | Jewell,   | Orchard, | Smith,      |
| Costello, | Marshall, | Ramp,    | Thomas,     |
| Farris,   | Matthews, | Rollins, | Whaley—16.  |

NAYS—Senators

|          |         |           |            |
|----------|---------|-----------|------------|
| Biggs,   | Dowell, | Rubey,    | Tandy,     |
| Clay,    | Fields, | Stubbs,   | Walker,    |
| Davison, | Haynes, | Sullivan, | Zevely—12. |

Absent with leave—Senators

|         |           |      |           |
|---------|-----------|------|-----------|
| Clarke, | Drabelle, | Lee, | Martin—5. |
| Cooper, |           |      |           |

Senator Morton called up House amendments Nos. 1 and 2 to Senate bill No. 181.

Amendment No. 1:

Amend Senate bill No. 181 by striking out all that part thereof after the word "having," in line five of said section, and before the word "there," in line six of said section, and insert in lieu thereof the following: "three thousand inhabitants or more than ten thousand inhabitants,"

Was concurred in by the following vote:

YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Fields,   | Orchard,    | Tandy,     |
| Bradley, | Haynes,   | Rollins,    | Thomas,    |
| Clay,    | Heather,  | Rubey,      | Walker,    |
| Collins, | Marshall, | Schoenlaub, | Zevely—22. |
| Davison, | Martin,   | Stubbs,     |            |
| Dowell,  | Morton,   | Sullivan,   |            |

NAYS—None.

Absent with leave—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Clarke,   | Drabelle, | Lee,      | Smith,     |
| Cooper,   | Farris,   | Matthews, | Whaley—11. |
| Costello, | Jewell,   | Ramp,     |            |

Amendment No. 2:

Amend title of Senate bill No. 181 by striking out the words "ten thousand or less," and insert in lieu thereof the words "three thousand or not more than ten thousand inhabitants, with an emergency clause,"

Was read and concurred in by the following vote:

YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Farris,   | Martin,     | Sullivan,  |
| Bradley, | Fields,   | Morton,     | Tandy,     |
| Clay,    | Haynes,   | Orchard,    | Thomas,    |
| Collins, | Heather,  | Rollins,    | Walker,    |
| Davison, | Jewell,   | Rubey,      | Zevely—23. |
| Dowell,  | Marshall, | Schoenlaub, |            |

NAYS—None.

## Absent with leave—Senators

|           |           |        |            |
|-----------|-----------|--------|------------|
| Clarke,   | Drabelle, | Ramp,  | Stubbs,    |
| Cooper,   | Lee,      | Smith, | Whaley—10. |
| Costello, | Matthews, |        |            |

Senate bill No. 181, as amended, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repeal all acts or parts of acts in conflict therewith,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Fields,   | Morton,     | Smith,     |
| Bradley, | Haynes,   | Orchard,    | Stubbs,    |
| Clay,    | Heather,  | Rollins,    | Thomas,    |
| Collins, | Jewell,   | Rubey,      | Walker,    |
| Dowell,  | Martin,   | Schoenlaub, | Zevely—22. |
| Farris,  | Matthews, |             |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Clarke,   | Davison,  | Marshall, | Sullivan,  |
| Cooper,   | Drabelle, | Ramp,     | Whaley—11. |
| Costello, | Lee,      | Tandy,    |            |

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Fields,   | Morton,     | Stubbs,    |
| Bradley, | Haynes,   | Orchard,    | Sullivan,  |
| Clay,    | Heather,  | Ramp,       | Tandy,     |
| Collins, | Jewell,   | Rollins,    | Thomas,    |
| Davison, | Marshall, | Rubey,      | Walker,    |
| Dowell,  | Martin,   | Schoenlaub, | Zevely—27. |
| Farris,  | Matthews, | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|         |           |      |           |
|---------|-----------|------|-----------|
| Clarke, | Costello, | Lee, | Whaley—6. |
| Cooper, | Drabelle, |      |           |

Title read and agreed to.

Senator Morton moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Thomas, the rules were suspended and Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment and abolishing the office of chief clerk in the office of the Attorney-General,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |         |           |             |
|-----------|---------|-----------|-------------|
| Biggs,    | Dowell, | Marshall, | Schoenlaub, |
| Bradley,  | Farris, | Martin,   | Smith,      |
| Clay,     | Fields, | Morton,   | Tandy,      |
| Collins,  | Haynes, | Orchard,  | Thomas,     |
| Costello, | Jewell, | Rubey,    | Walker—20.  |

## NAYS—Senators,

|          |          |         |           |
|----------|----------|---------|-----------|
| Davison, | Ramp,    | Stubbs, | Zevely—6. |
| Heather, | Rollins, |         |           |

## Absent with leave—Senators

|         |           |           |           |
|---------|-----------|-----------|-----------|
| Clarke, | Drabelle, | Matthews, | Whaley—7. |
| Cooper, | Lee,      | Sullivan, |           |

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Farris,   | Martin,   | Schoenlaub, |
| Bradley,  | Fields,   | Matthews, | Stubbs,     |
| Clay,     | Haynes,   | Morton,   | Tandy,      |
| Collins,  | Heather,  | Orchard,  | Thomas,     |
| Davison,  | Jewell,   | Ramp,     | Walker,     |
| Dowell,   | Lee,      | Rubey,    | Zevely—26.  |
| Drabelle, | Marshall, |           |             |

## NAYS—None.

## Absent with leave—Senators

|         |           |           |           |
|---------|-----------|-----------|-----------|
| Clarke, | Costello, | Smith,    | Whaley—7. |
| Cooper, | Rollins,  | Sullivan, |           |

Title to the bill read and agreed to.

Senator Thomas moved to reconsider the vote by which Senate bill No. 315, together with the emergency clause, was passed.

Senator Tandy moved to lay that motion on the table.

The latter motion prevailed.

Senator Zevely called up Senate bill No. 324 and moved that the bill be ordered engrossed and printed.

Motion prevailed.

Senate bill No. 324, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri.  
Was ordered engrossed and printed.

Senator Marshall, from the Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains, submitted the following report:

Mr. President: Your Committee on Swamp Lands, to which was referred House bill No. 457, entitled

An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands and to amend section 8267, chapter 122, and to amend sections 8282, 8292, 8298 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands,

Begs leave to report that it has examine the same and recommends that it do pass;

Which was read.

Senator Collins called up Senate bill No. 240 and moved that the bill be read third time and placed upon its passage.

The motion prevailed.

Pending the motion, Senator Farris moved that the Senate take a recess until 2 p. m.

The motion prevailed.

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### AFTERNOON SESSION.

The hour of recess having expired,

The President of the Senate called the Senate to order.

The pending question being, shall Senate bill No. 240 be read a third time and put upon its passage?

The motion prevailed.

Senate bill No. 240, entitled

An act relating to the payment of costs in criminal cases in cities having a population of three hundred thousand or over,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Orchard,    | Sullivan,  |
| Clay,     | Lee,      | Rollins,    | Tandy,     |
| Collins,  | Martin,   | Rubey,      | Thomas,    |
| Davissou, | Matthews, | Schoenlaub, | Walker,    |
| Drabelle, | Morton,   | Smith,      | Zevely—20. |

NAYS—Senators,

|           |         |          |           |
|-----------|---------|----------|-----------|
| Bradley,  | Dowell, | Haynes,  | Marshall, |
| Costello, | Fields, | Heather, | Stubbs—8. |

Absent with leave—Senators

|         |         |       |           |
|---------|---------|-------|-----------|
| Clarke, | Jewell, | Ramp, | Whaley—4. |
|---------|---------|-------|-----------|

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Drabelle moved to reconsider the vote by which Senate bill No. 240 was passed.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senator Smith presented a petition from citizens of St. Louis, Mo., members of the various local unions in that city, praying for the passage of House bill No. 375, as amended (save section 10), prohibiting the employment of children under fourteen years of age during the usual school hours;

Which was read and referred to the Committee on Labor, Mines and Manufactories.

Senator Rollins moved that when the Senate adjourn, it adjourn under the rules.

The motion prevailed.

The President announced the reception from the House of Representatives, enrolled House bill No. 95, entitled

An act entitled "An act to repeal sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336 of article 14, chapter 168 of the Revised Statutes, 1899, of Missouri, entitled 'Roads, highways and bridges,' and enact new sections in lieu thereof, to be known as sections 10321, 10324, 10325, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334, 10335, 10336;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House joint and concurrent resolution No. 2, entitled To amend section 8 of article 9 of the Constitution of the State of Missouri;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the resolution read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The

resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the resolution was immediately returned to the House;

Also, enrolled House bill No. 456, entitled

An act to amend section 8197 of article 3 of chapter 122 of Revised Statutes of Missouri of 1899, entitled "Swamp and overflowed lands," by adding a proviso to said section, the purpose of which is to quiet swamp land titles;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 193, entitled

An act to repeal sections 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968 of article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to enact new sections in lieu thereof, entitled "Powers and duties of county boards of education relating to course of study, licensing teachers and conducting institutes, and of the State Board of Education relating to summer schools," with an emergency clause;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 178, entitled

An act to amend article 2 of chapter 69 of the Revised Statutes of 1899, entitled "Animals restrained from running at large," by enacting a new section, to be known as section 4777a;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Senate bill No. 131, entitled

An act entitled "An act for the relief of B. F. Elder and Albert Stone for the apprehension of one Ben Richardson charged with murder, Was ordered engrossed and printed.

Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines

thereof, and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |         |             |           |
|-----------|---------|-------------|-----------|
| Biggs,    | Farris, | Morton,     | Sullivan, |
| Bradley,  | Fields, | Orchard,    | Tandy,    |
| Clay,     | Haynes, | Ruby,       | Thomas,   |
| Collins,  | Jewell, | Schoenlaub, | Walker,   |
| Costello, | Lee,    | Stubbs,     | Zevy—20.  |

## NAYS—Senators,

|                            |           |         |            |
|----------------------------|-----------|---------|------------|
| Dowell,                    | Heather,  | Martin, | Rollins—4. |
| Absent with leave—Senators |           |         |            |
| Clarke,                    | Marshall, | Ramp,   | Whaley—8.  |
| Davison,                   | Matthews, | Smith,  |            |
| Drabelle,                  |           |         |            |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |          |             |           |
|-----------|----------|-------------|-----------|
| Biggs,    | Fields,  | Matthews,   | Stubbs,   |
| Bradley,  | Haynes,  | Morton,     | Sullivan, |
| Clay,     | Heather, | Orchard,    | Tandy,    |
| Collins,  | Jewell,  | Rollins,    | Thomas,   |
| Costello, | Lee,     | Ruby,       | Walker,   |
| Dowell,   | Martin,  | Schoenlaub, | Zevy—25.  |
| Farris,   |          |             |           |

## NAYS—None.

Absent with leave—Senators

|          |           |        |           |
|----------|-----------|--------|-----------|
| Clarke,  | Drabelle, | Ramp,  | Whaley—7. |
| Davison, | Marshall, | Smith, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Haynes moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 260, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding two new sections thereto, to be known as sections 2298a and 2298b,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Tandy, from the Committee on Agriculture, Roads, Highways, Bridges and Ferries, submitted the following report:

Mr. President: Your Committee on Agriculture, Roads and Highways, to which was referred House bill No. 215, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits of the public roads and highways, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Lee, from the Committee on Redistricting and Apportionment, submitted the following report:

Mr. President: Your Committee on Redistricting and Apportionment, to which was referred Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts,

Begs leave to report that it has examine the same and recommends that it do pass with the accompanying amendments;

Which was read.

Amendment No. 1:

Amend Senate bill No. 313 by striking out all of section 16 and by substituting the following new section in lieu thereof, to be known as section 16:

Sec. 16. The Sixteenth senatorial district shall consist of the counties of Bates, Barton, Henry, St. Clair and Vernon.

Read first and second times and agreed to.

Amendment No. 2:

Amend Senate bill No. 313 by striking out all of section 20 and substituting in lieu thereof the following new section, to be known as section 20:

Sec. 20. The Twentieth senatorial district shall consist of the counties of Dade, Dallas, Greene, Polk and Cedar.

Read first and second times and agreed to.

Amendment No. 3:

Amend Senate bill No. 313 by striking out all of section 21 and substituting the following new section in lieu thereof, to be known as section 21:

Sec. 21. The Twenty-first senatorial district shall consist of the counties of Bollinger, Butler, Carter, Dunklin, Ripley and Wayne.

Read first and second times and agreed to.

Amendment No. 4:

Amend Senate bill No. 313 by striking out all of section 23 and by substituting in lieu thereof the following new section, to be known as section 23:

Sec. 23. The Twenty-third senatorial district shall consist of the counties of Cape Girardeau, Mississippi, New Madrid, Pemiscot, Stoddard and Scott.

Read first and second times and agreed to.

The rules were suspended.

Senate bill No. 313, as amended, entitled

An act to divide the State into thirty-four Senatorial districts,

Was ordered engrossed and printed, and that printing have precedence over all other printing.

Committee substitute for Senate bill No. 48 was taken up, and on motion of Senator Jewell, was indefinitely postponed.

Senator Fields, from the Committee on Fire, Marine and Tornado Insurance, submitted the following report:

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred House bill No. 349, entitled

An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies,

Begs leave to report that it has examine the same and recommends that it do pass;

Which was read.

On motion of Senator Heather, the rules were suspended and House joint and concurrent resolution No. 5, entitled

An act petitioning Congress to call convention proposing amendment to Constitution to elect U. S. Senators by direct vote of the people,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Morton,     | Stubbs,    |
| Bradley,  | Fields,   | Orchard,    | Sullivan,  |
| Clay,     | Haynes,   | Rollins,    | Tandy,     |
| Collins,  | Heather,  | Rubey,      | Thomas,    |
| Costello, | Martin,   | Schoenlaub, | Walker,    |
| Davisson, | Matthews, | Smith,      | Zevely—25. |
| Dowell,   |           |             |            |

NAYS—None.

Absent with leave—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Clarke,   | Jewell, | Marshall, | Whaley—7. |
| Drabelle, | Lee,    | Ramp,     |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Heather moved that the vote by which the resolution was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Fields, the rules were suspended and House bill No. 550, entitled

An act to amend article 14 of chapter 168 of the Revised Statutes of 1899, relating to roads, highways and bridges in counties having township organization, by adding thereto a new section, to be known as section 10355a,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Smith,     |
| Bradley,  | Drabelle, | Matthews,   | Stubbs,    |
| Clay,     | Farris,   | Morton,     | Tandy,     |
| Collins,  | Fields,   | Orchard,    | Thomas,    |
| Costello, | Haynes,   | Rubey,      | Walker,    |
| Davisson, | Lee,      | Schoenlaub, | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|          |           |           |           |
|----------|-----------|-----------|-----------|
| Clarke,  | Marshall, | Rollins,  | Whaley—8. |
| Heather, | Ramp,     | Sullivan, |           |
| Jewell,  |           |           |           |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Fields moved to reconsider the vote by which the bill passed.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Haynes, the rules were suspended and Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Smith,     |
| Bradley,  | Farris,   | Morton,     | Stubbs,    |
| Clay,     | Fields,   | Orchard,    | Tandy,     |
| Collins,  | Haynes,   | Rollins,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Walker,    |
| Davissou, | Jewell,   | Schoenlaub, | Zevely—26. |
| Dowell,   | Martin,   |             |            |

## NAYS—None.

|                            |           |           |           |
|----------------------------|-----------|-----------|-----------|
| Absent with leave—Senators |           |           |           |
| Clarke,                    | Marshall, | Sullivan, | Whaley—6. |
| Lee,                       | Ramp,     |           |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clay,     | Fields,   | Morton,     | Sullivan,  |
| Collins,  | Haynes,   | Orchard,    | Tandy,     |
| Costello, | Heather,  | Rollins,    | Thomas,    |
| Davissou, | Jewell,   | Rubey,      | Walker,    |
| Dowell,   | Lee,      | Schoenlaub, | Zevely—28. |

## NAYS—None.

|                            |           |       |           |
|----------------------------|-----------|-------|-----------|
| Absent with leave—Senators |           |       |           |
| Clarke,                    | Marshall, | Ramp, | Whaley—4. |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Haynes moved to reconsider the vote by which the bill, together with the emergency clause, was passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Biggs moved that the rules be suspended and that House bill No. 277 be taken up.

The motion prevailed.

Senator Biggs moved that House bill No. 277 be read third time and placed upon its passage.

Senator Rubey moved that House bill No. 277 be referred to the Committee on Judiciary.

The latter motion prevailed.

The bill was referred to the Committee on Judiciary.

The President called President Pro tem. Farris to the chair.

Senator Walker called up Senate bill No. 121 and moved that the bill be read third time and placed upon its passage.

The motion prevailed.

Senate bill No. 121, entitled

An act to repeal section 2064 of article 5 of chapter 15, entitled "Crimes and punishments," and enacting a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Farris,  | Matthews, | Stubbs,    |
| Bradley,  | Fields,  | Morton,   | Sullivan,  |
| Clay,     | Haynes,  | Orchard,  | Tandy,     |
| Costello, | Heather, | Rollins,  | Thomas,    |
| Davissou, | Jewell,  | Rubey,    | Walker,    |
| Dowell,   | Lee,     | Smith,    | Zevely—26. |
| Drabelle, | Martin,  |           |            |

NAY—Senator Schoenlaub—1.

|                            |           |       |           |
|----------------------------|-----------|-------|-----------|
| Absent with leave—Senators |           |       |           |
| Clarke,                    | Marshall, | Ramp, | Whaley—5. |
| Collins,                   |           |       |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton moved that the vote by which Senate bill No. 313 was ordered engrossed and printed be reconsidered.

The motion prevailed.

Senator Morton moved that the vote by which amendment No. 3 to Senate bill No. 313 was adopted be reconsidered.

The motion prevailed.

Senator Morton moved that the vote by which amendment No. 4 to Senate bill No. 313 was adopted be reconsidered.

The motion prevailed.

The question recurring on the motion to adopt amendment No. 3 to Senate bill No. 313, the amendment was not agreed to.

The question recurring on the motion to adopt amendment No. 4 to Senate bill No. 313, the amendment was not agreed to.

Senate bill No. 313, as amended, entitled

An act to divide the State into thirty-four Senatorial districts,

Was ordered engrossed and printed, and the printing to have precedence.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 305, entitled

An act relating to circuit courts,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The nine following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled "Institutions, eleemosynary;"

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up, amended and passed

Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have or which may hereafter have over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses, and prescribing penalties for violating the provisions of this act;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up, amended and passed Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up, amended and passed

Senate bill No. 44, entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Also, Senate bill No. 62, entitled

An act providing that certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which the city is sued;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Also, Senate bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause;

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up, amended and passed

Senate bill No. 37, entitled

An act to create an addition civil division in and for the circuit court of the Sixteenth judicial circuit at Kansas City, Jackson county; for the appointment and election of an additional judge of said circuit court; to increase the salaries of the judges of said court; to empower the judges of said circuit court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said circuit court and to make rules for other purposes; to abolish the criminal court of said county and to vest the jurisdiction thereof in the Jackson county circuit court; to transfer the judge of the criminal court to the office of circuit judge; to abolish the offices of county marshal and clerk of the criminal court of said county; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of civil cases between the court at Independence and Kansas City, with amendments Nos. 1, 2, 3, 4 and 5,

Which were read.

Rules suspended and Senate bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," of chapter 14 of Revised Statutes of Missouri, 1899,

Was taken up, read second time, and ordered engrossed and printed.

Senate bill No. 211, entitled

An act authorizing the appointment of quartermaster sergeants of the National Guard of Missouri,

Was taken up, read second time, and ordered engrossed and printed.

Senate bill No. 183 was taken up and laid over informally.

Senate bill No. 209, entitled

An act entitled "An act to amend section 973, article 1, chapter 12, Revised Statutes of Missouri of 1899, entitled 'Corporations—private,'"

Was read second time and ordered engrossed and printed.

Senate bill No. 216 was taken up and laid over informally.

Senate bill No. 224 was taken up and laid over informally.

Senate bill No. 235 was taken up, and on motion of Senator Tandy, indefinitely postponed.

Senate bill No. 289, entitled

An act to amend section 278 of article 14, chapter 1, Revised Statutes, 1899, in relation to appeals,

Was taken up and ordered engrossed and printed.

Senate bill No. 296, entitled

An act to amend section 5060, chapter 80 of the Revised Statutes of Missouri for 1899, entitled "Board of Charities,"

Was taken up and ordered engrossed and printed.

Senate bill No. 300, entitled

An act to amend section 7732, chapter 118, article 3 of the Revised Statutes of the State of Missouri, 1899, relating to institutions—eleemosynary,

Was taken up and ordered engrossed and printed.

Senate bill No. 312, entitled

An act to amend section 1423, chapter XII, article II of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations,

Was taken up and ordered engrossed and printed.

Senate bill No. 317 was taken up and laid over informally.

Senate bill No. 155 was taken up and laid over informally.

Senate bill No. 327, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing section 5522, and enacting in lieu thereof a new section, to be known as section 5522,

Was taken up and ordered engrossed and printed.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 314, entitled

An act to provide for the reimbursement of Jasper county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county,

Begs leave to report that it has examine the same and recommends that it do pass;

Which was read.

On motion of Senator Thomas, the rules were suspended.

Senate bill No. 314, entitled

An act to provide for the reimbursement of Jasper county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county,

Was taken up and ordered engrossed and printed.

House bill No. 128, entitled

An act to amend section 2997, chapter 22 of the Revised Statutes of Missouri, 1899, entitled "Dramshops, Excise Commissioner and local option,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Biggs,    | Dowell,  | Martin,   | Sullivan,  |
| Bradley,  | Farris,  | Matthews, | Tandy,     |
| Clay,     | Haynes,  | Orchard,  | Thomas,    |
| Collins,  | Heather, | Rollins,  | Walker,    |
| Costello, | Jewell,  | Rubey,    | Zevely—23. |
| Davisson, | Lee,     | Smith,    |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |           |
|-----------|-----------|-------------|-----------|
| Clarke,   | Marshall, | Ramp,       | Stubbs,   |
| Drabelle, | Morton,   | Schoenlaub, | Whaley—9. |
| Fields,   |           |             |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 338, entitled

An act to repeal section 1793 of article 5, chapter 14, Revised Statutes of Missouri for 1899, and to enact a new section in lieu thereof, to be known as section 1793, relating to the duty of county courts to cause certain prisoners to be worked,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Rubey,      | Tandy,     |
| Bradley,  | Jewell,   | Schoenlaub, | Thomas,    |
| Clay,     | Lee,      | Smith,      | Walker,    |
| Collins,  | Matthews, | Sullivan,   | Zevely—18. |
| Davisson, | Rollins,  |             |            |

NAYS—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Costello, | Fields, | Heather, | Morton,   |
| Farris,   | Haynes, | Martin,  | Stubbs—8. |

Absent with leave—Senators

|           |           |       |           |
|-----------|-----------|-------|-----------|
| Clarke,   | Marshall, | Ramp, | Whaley—6. |
| Drabelle, | Orchard,  |       |           |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Biggs moved to reconsider the vote by which bill passed.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Rules were suspended and Senate bill No. 308, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri relating to the powers of corporations,  
Was taken up, read second time, and ordered engrossed and printed.

Rules were suspended and Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of Missouri of 1899, entitled "Mutual saving fund, building and loans associations,"

Was read second time and ordered engrossed and printed.

Senator Clay called up committee substitute for House bills Nos. 254 and 258 and offered the following amendment:

Amend committee substitute for House bills Nos. 254 and 258 by striking out the word "marshal," in the 9th line of printed bill; also by inserting the word "marshal," between the words "mayor and collector," in the 7th line of said bill;

Read first and second times and agreed to.

Committee substitute for House bills Nos. 254 and 258, as amended, entitled

An act to repeal sections 5898 and 5907 of article 5, chapter 91 of the Revised Statutes of Missouri of 1899, with an emergency clause.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Drabelle, | Martin,     | Stubbs,    |
| Clay,     | Farris,   | Matthews,   | Sullivan,  |
| Collins,  | Fields,   | Orchard,    | Tandy,     |
| Costello, | Haynes,   | Rubey,      | Thomas,    |
| Davison,  | Jewell,   | Schoenlaub, | Walker—23. |
| Dowell,   | Lee,      | Smith,      |            |

NAYS—Senators,

Rollins, Zevely—2.

Absent with leave—Senators

|         |           |         |           |
|---------|-----------|---------|-----------|
| Biggs,  | Heather,  | Morton, | Whaley—7. |
| Clarke, | Marshall, | Ramp,   |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |         |             |            |
|-----------|---------|-------------|------------|
| Bradley,  | Farris, | Matthews,   | Stubbs,    |
| Clay,     | Fields, | Orchard,    | Sullivan,  |
| Collins,  | Haynes, | Rollins,    | Tandy,     |
| Costello, | Jewell, | Rubey,      | Thomas,    |
| Davison,  | Lee,    | Schoenlaub, | Walker,    |
| Dowell,   | Martin, | Smith,      | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|         |           |           |           |
|---------|-----------|-----------|-----------|
| Biggs,  | Drabelle, | Marshall, | Ramp,     |
| Clarke, | Heather,  | Morton,   | Whaley—8. |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Clay moved to reconsider the vote by which the bill and the emergency clause passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Martin called up House amendments to Senate bill No. 33. Amendment No. 1:

Amend Senate bill No. 33 by striking out the word "ten," in the 12th line of section 1 of the printed bill, which is immediately after the word "than," and insert the word "five."

Senator Martin moved that the Senate concur in House amendment No. 1 to Senate bill No. 33.

The motion prevailed by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Fields,  | Matthews,   | Stubbs,    |
| Bradley,  | Haynes,  | Orchard,    | Sullivan,  |
| Collins,  | Heather, | Rollins,    | Tandy,     |
| Costello, | Jewell,  | Rubey,      | Thomas,    |
| Davison,  | Lee,     | Schoenlaub, | Walker,    |
| Dowell,   | Martin,  | Smith,      | Zevely—24. |

NAYS—None

Absent with leave—Senators

|         |           |           |           |
|---------|-----------|-----------|-----------|
| Clarke, | Drabelle, | Marshall, | Ramp,     |
| Clay,   | Farris,   | Morton,   | Whaley—8. |

Sick—Senator Cooper—1.

Amendment No. 2:

Amend title to Senate bill No. 33 by adding thereto the following words: "for purpose of obtaining ransom, with emergency clause."

Senator Martin moved that the Senate concur in House amendment No. 2 to Senate bill No. 33.

The motion prevailed.

Senate bill No. 33, as amended, entitled

An act to provide for the punishment of any one guilty of kidnapping or carrying away any child or other person,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Stubbs,    |
| Bradley,  | Farris,   | Matthews,   | Sullivan,  |
| Clay,     | Fields,   | Orchard,    | Tandy,     |
| Collins,  | Haynes,   | Rollins,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Walker,    |
| Davison,  | Jewell,   | Schoenlaub, | Zevely—27. |
| Dowell,   | Lee,      | Smith,      |            |

NAYS—None.

Absent with leave—Senators

|           |         |       |           |
|-----------|---------|-------|-----------|
| Clarke,   | Morton, | Ramp, | Whaley—5. |
| Marshall, |         |       |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle called up House amendment to Senate bill No. 153 and moved that the Senate concur.

The motion prevailed.

Amendment to Senate bill No. 153:

Amend title to Senate bill No. 153 by adding the words "with an emergency clause;"

Read and concurred in.

Senator Rubey moved that the vote by which Senate bill No. 232 failed to pass be reconsidered.

Roll call demanded.

The motion prevailed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Smith,     |
| Clay,     | Drabelle, | Matthews,   | Stubbs,    |
| Collins,  | Haynes,   | Morton,     | Thomas,    |
| Costello, | Heather,  | Rubey,      | Walker—19. |
| Davison,  | Lee,      | Schoenlaub, |            |

## NAYS—Senators

|                                |                                  |                       |                      |
|--------------------------------|----------------------------------|-----------------------|----------------------|
| Bradley,<br>Farris,<br>Fields, | Jewell,<br>Marshall,<br>Orchard, | Rollins,<br>Sullivan, | Tandy,<br>Zevely—10. |
|--------------------------------|----------------------------------|-----------------------|----------------------|

## Absent with leave—Senators

|         |       |           |
|---------|-------|-----------|
| Clarke, | Ramp, | Whaley—3. |
|---------|-------|-----------|

Sick—Senator Cooper—1.

The question being on the passage of Senate bill No. 232.

Senate bill No. 232 failed to pass by the following vote:

## YEAS—Senators,

|  |   |  |   |
|--|---|--|---|
| Biggs,<br>Clay,<br>Collins,<br>Costello, | Dowell,<br>Drabelle,<br>Haynes,<br>Heather, | Lee,<br>Martin,<br>Matthews,<br>Rollins, | Rubey,<br>Smith,<br>Stubbs,<br>Walker—16. |
|--|---|--|---|

## NAYS—Senators,

|                                  |                                 |                                      |                                 |
|----------------------------------|---------------------------------|--------------------------------------|---------------------------------|
| Bradley,<br>Davisson,<br>Farris, | Fields,<br>Jewell,<br>Marshall, | Orchard,<br>Schoenlaub,<br>Sullivan, | Tandy,<br>Thomas,<br>Zevely—12. |
|----------------------------------|---------------------------------|--------------------------------------|---------------------------------|

## Absent with leave—Senators

|         |         |       |           |
|---------|---------|-------|-----------|
| Clarke, | Morton, | Ramp, | Whaley—4. |
|---------|---------|-------|-----------|

Sick—Senator Cooper—1.

House bill No. 40 was taken up and the following amendment was offered:

Amendment No. 1 to House bill No. 40:

That House bill No. 40 be amended as follows: by inserting between the words "employes" and "and," in the 22nd line of the printed bill, the following: "when such fire is placed out or escapes through the negligence or carelessness of the employes of said railroad;"

Read first and second times and agreed to.

Rules were suspended and House bill No. 40, entitled

An act to amend section 1111 of article II of chapter 12 of the Revised Statutes of Missouri, 1899, entitled "Railroad companies,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|  |   |  |   |
|--|---|--|---|
| Biggs,<br>Bradley,<br>Clay,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Fields,<br>Haynes,<br>Jewell,<br>Marshall, | Martin,<br>Morton,<br>Orchard,<br>Rollins,<br>Rubey, | Stubbs,<br>Sullivan,<br>Tandy,<br>Walker,<br>Zevely—21. |
|--|---|--|---|

## NAYS—Senators

|                      |             |        |           |
|----------------------|-------------|--------|-----------|
| Farris,<br>Matthews, | Schoenlaub, | Smith, | Thomas—5. |
|----------------------|-------------|--------|-----------|

## Absent with leave—Senators

|                     |                  |       |           |
|---------------------|------------------|-------|-----------|
| Clarke,<br>Collins, | Heather,<br>Lee, | Ramp, | Whaley—6. |
|---------------------|------------------|-------|-----------|

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 403, entitled

An act to prevent the introduction and dissemination in Missouri of dangerous insect pests and fungoid or other contagious or infectious diseases dangerously injurious to fruit trees, vines, bushes or nursery stock,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Bradley,  | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Fields,   | Orchard,    | Tandy,     |
| Collins,  | Haynes,   | Rollins,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Walker,    |
| Davisson, | Marshall, | Schoenlaub, | Zevely—27. |
| Dowell,   | Martin,   | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|         |      |       |           |
|---------|------|-------|-----------|
| Clarke, | Lee, | Ramp, | Whaley—5. |
| Jewell, |      |       |           |

## Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clay,     | Fields,   | Morton,     | Sullivan,  |
| Collins,  | Haynes,   | Orchard,    | Tandy,     |
| Costello, | Heather,  | Rollins,    | Thomas,    |
| Davisson, | Jewell,   | Rubey,      | Walker,    |
| Dowell,   | Marshall, | Schoenlaub, | Zevely—28. |

## NAYS—None.

## Absent with leave—Senators

|         |      |       |           |
|---------|------|-------|-----------|
| Clarke, | Lee, | Ramp, | Whaley—4. |
|---------|------|-------|-----------|

## Sick—Senator Cooper—1.

Senator Sullivan moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 88, entitled

An act to amend article 1, chapter 22, section 3018 of the Revised Statutes of 1899, relating to dramshops,

Also, Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Also, Senate bill No. 310, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, so as to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Rollins called up Senate bill No. 120 and moved that the bill be read the third time and put upon its passage.

The motion prevailed.

Senate bill No. 120 was taken up, read third time, and failed to pass by the following vote:

## YEAS—Senators,

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Davisson, | Matthews, | Smith,    | Thomas—7. |
| Jewell,   | Rollins,  | Sullivan, |           |

## NAYS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Biggs,   | Costello, | Martin,  | Schoenlaub, |
| Bradley, | Dowell,   | Morton,  | Tandy,      |
| Clay,    | Farris,   | Orchard, | Walker,     |
| Collins, | Heather,  | Rubey,   | Zevely—16.  |

## Absent with leave—Senators

Clarke,  
Drabelle,  
Fields,

Haynes,  
Lee,

Marshall,  
Ramp,

Stubbs,  
Whaley—9.

Sick—Senator Cooper—1.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having three thousand inhabitants or not more than ten thousand inhabitants, and repealing all acts or parts of acts in conflict therewith, with an emergency clause,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senate enrolled bill No. 181, entitled

An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, providing for the election of certain officers and fixing their tenure of office in cities and towns under special charters and having ten thousand inhabitants or less, and repealing all acts or parts of acts in conflict therewith,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become an law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

On motion of Senator Haynes, the Senate adjourned until 10 a. m. tomorrow:

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FORTY-NINTH DAY—Saturday, March 9, 1901.

The Senate met pursuant to adjournment.

The President in the Chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Bradley presented a remonstrance from the citizens of Johnson county protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Which was read and referred to the Committee on Criminal Jurisprudence.

Senator Fields presented a petition from the citizens of his dis-

trict, asking for the passage of Senate bill No. 236, or House bill No. 504, in relation to the dairy interests of the State;

Which was read and referred to the Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senators Martin and Rollins presented petitions from the citizens of their respective districts and members of various labor organizations, asking for the passage of House bill No. 375, as amended (save section 10), prohibiting the employment of children under 14 years of age during school hours;

Which was read and referred to the Committee on Labor, Mines and Manufactories.

The ten following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate joint and concurrent resolution No. 8,

Submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri;

Also, Senate joint and concurrent resolution No. 9,

Submitting to the qualified voters an amendment to the Constitution of Missouri repealing section 22, article IX, and enacting a new section in lieu thereof;

Also, Senate joint and concurrent resolution No. 12,

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation;

Senate bill No. 398, entitled

An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deed of trust or other contract lien, securing a debt; with an emergency clause;

Which were read.

Mr. President: I am instructed by the House of Representatives, to inform the Senate that there has been introduced into and passed by the House,

House bill No. 290, entitled

An act to perpetuate and preserve evidence explaining defects in the chain of title to real estate;

Also, House bill No. 469, entitled

An act to repeal section 10105, article 1, chapter 162 of Revised Statutes of Missouri, 1899, entitled "Stenographers in cities and counties having three hundred and fifty thousand or more inhabitants," and to enact a new section in lieu thereof, to be known as section 10105;

Also, House bill No. 126, entitled

An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitation of actions;

Also, House bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902;

Also, House bill No. 358, entitled

An act to repeal section 4149 of chapter 44 of the Revised Statutes

of Missouri of 1899, entitled "Landlords and tenants," and relating to changes of venue under said chapter, and to enact a new section in lieu thereof;

In which the concurrence of the Senate is respectfully requested.

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House refused to concur in Senate amendments Nos. 1, 2 and 3 to House bill No. 528,

Which was read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the six following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 20, entitled

An act to amend sections 1313 and 1314, Revised Statutes, 1899, so as to require directors or managers to make oath to their statement for articles of incorporation and providing for the original sworn statement to be filed with Secretary of State;

Also, Senate bill No. 97, entitled

An act to amend chapter 12, article 9 of the Revised Statutes of 1899, entitled "Corporations, private," by adding a new section thereto, to be known as section 1314a, making it the duty of the Secretary of State to investigate statements made for articles of incorporation, and upon discovery of fraud to revoke certificate of incorporation and submit results to the grand jury;

Also Senate bill No. 283, entitled

An act to repeal sections 6539, 6540, 6541, 6544 and 6554, article 23, chapter 91 of the Revised Statutes of the State of Missouri, 1899, relating to juries in cities of over one hundred thousand inhabitants, and to enact new sections in lieu thereof;

Also, Senate bill No. 306, entitled

An act to provide for the payment of quarantine and pest camp expenses in cases of epidemics;

Also, Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Also, Senate bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund,"

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Haynes, from the Committee on Judiciary, submitted the six following reports:

Mr. President: Your Committee on Judiciary, to which was referred committee substitute for House bill No. 123, entitled

An act to repeal section 289 and section 294 of article 15, chapter 1 of the Revised Statutes of Missouri, 1899, relating to public administrators, and to enact a new section in lieu thereof, to be known as section 289,

Begs leave to report that it has examined the same and recommends that it do not pass:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 264, entitled

An act to repeal sections 3447 and 3448 of chapter thirty-three of the Revised Statutes of Missouri of 1899,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 311, entitled

An act to amend section 7896, article 2, chapter 119, Revised Statutes of Missouri, entitled "Life and accident insurance,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 288, entitled

An act repealing section 809 of the Revised Statutes of 1899 of the State of Missouri, and enacting a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 319, entitled

An act to amend section 4944 of chapter 75 of article 2 of the Revised Statutes of Missouri for 1899, relating to prosecuting attorneys and their assistants,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 106, entitled

An act entitled an act to authorize the various circuit courts of the State of Missouri to appoint a committee to investigate accounts of public officers handling funds,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendment;

Which were read.

Amendment No. 1 to Senate bill No. 106:

Amend Senate bill No. 106 by adding to end of section 2 the following words: "except in counties that now have or may hereafter have a county auditor or accountant,

Was read first and second times and agreed to.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 301, entitled

An act to define and protect undertakers in the funds due to estates and to beneficiaries from insurance companies, benevolent and fraternal associations in defraying the expenses of deceased persons when insured in such companies or associations, and to repeal all acts, statutes or parts thereof in conflict herewith,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 317, entitled

An act to amend section, which is numbered 8778, on page 2066 of article 1 of chapter 141, entitled "Penitentiary," by adding a proviso thereto,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 75, entitled

An act for the review and correction of illegal and unequal tax assessments by proceedings in certiorari and regulating the procedure thereof,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 118, entitled

An act to repeal article 1 of chapter 47 of the Revised Statutes of the State of Missouri, 1899, entitled "Mechanics' liens,"

Begs leave to report that it has examined the same and recommends that it do not pass.

Which were read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the four following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 250, entitled

An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled "Institutions, eleemosynary;"

Also Senate bill No. 62, entitled

An act providing that in certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which the city is sued;

Also, Senate bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102 of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants;

Also, Senate bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause.

Begs leave to report that it has compared the same and finds them to be truly enrolled.

Which were read.

Senator Martin, from the Committee on Ways and Means, submitted the two following reports:

Mr. President: Your Committee on Ways and Means, to which was referred House bill No. 394, entitled

An act to repeal section 9302, article 6, chapter 149 of the Revised Statutes of the State of Missouri, 1899, in relation to "Revenue," and enacting in lieu thereof a new section,

Begs leave to report that it has examined the same and recommends that it do pass.

Mr. President: Your Committee on Ways and Means, to which was referred committee substitute for House bills Nos. 2, 17, 22, 55 and 201, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same and providing penalties for the violation of this act, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do not pass.

Which were read.

Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation,

Was taken up, read second time, and referred to the Committee on Private Corporations.

Senate bill No. 329, entitled

An act to repeal sections 7420 and 7421, article II, chapter 105 of the Revised Statutes of Missouri, entitled "State Fair Fund," and to enact in lieu thereof other sections, to be numbered 7420 and 7421.

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Senate bill No. 330, entitled

An act providing for clearing obstructions from and improving the waterflow of the Marias des Cygnes river, construct levees, drains, ditches and water channels for such purposes, in the State of Missouri, and providing for the payment of such work,

Was taken up, read second time, and referred to the Committee on Railroads and Internal Improvements.

Senate bill No. 331, entitled

An act to authorize the imposition of a franchise tax on corporations doing business in Missouri,

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 322, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the "Legislature,"

Was taken up, read second time, and referred to the Committee on Eleemosynary Institutions and Public Health.

Senate bill No. 336, entitled

An act to repeal sections 6616 and 6617 of chapter 95 of the Revised Statutes of Missouri, 1899, relating to Congressional and electoral districts, and to enact a new section in lieu thereof, to be known as section 6616,

Was taken up, read second time, and referred to the Committee on Representative Apportionment and Redistricting the State.

Senator Morton moved that the rules be suspended and that Senate bill No. 326 be taken up.

The motion prevailed.

Senate bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund."

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

Biggs,  
Bradley,  
Davisson,  
Dowell,  
Farris,

Haynes,  
Martin,  
Matthews,  
Morton,  
Rollins,

Rubey,  
Smith,  
Stubbs,  
Sullivan,

Tandy,  
Thomas,  
Walker,  
Zevely—18.

NAYS—None.

Absent with leave—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Clarke,   | Drabelle, | Lee,      | Ramp,       |
| Clay,     | Fields,   | Marshall, | Schoenlaub, |
| Collins,  | Heather,  | Orchard,  | Whaley—14.  |
| Costello, | Jewell,   |           |             |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Morton moved that the vote by which Senate bill No. 326 was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

On motion of Senator Walker, Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Sullivan,  |
| Bradley,  | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Rollins,  | Thomas,    |
| Collins,  | Haynes,   | Rubey,    | Walker,    |
| Davisson, | Jewell,   | Smith,    | Zevely—23. |
| Dowell,   | Martin,   | Stubbs,   |            |

NAYS—None.

Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Lee,      | Orchard, | Schoenlaub, |
| Costello, | Marshall, | Ramp,    | Whaley—9.   |
| Heather,  |           |          |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which Senate bill No. 320 passed.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

Senator Walker moved that the rules be suspended and that Senate bill No. 321 be taken up.

The motion prevailed.

Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Sullivan,  |
| Bradley,  | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Rollins,  | Thomas,    |
| Collins,  | Haynes,   | Rubey,    | Walker,    |
| Davisson, | Jewell,   | Smith,    | Zevely—23. |
| Dowell,   | Martin,   | Stubbs,   |            |

NAYS—None.

Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Lee,      | Orchard, | Schoenlaub, |
| Costello, | Marshall, | Ramp,    | Whaley—9.   |
| Heather,  |           |          |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved to reconsider the vote by which Senate bill No. 321 passed.

Senator Biggs, moved to lay that motion on the table.

The latter motion prevailed.

Senator Stubbs called up Senate bill No. 310.

Senate bill No. 310, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, so as to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Sullivan,  |
| Bradley,  | Farris,   | Morton,   | Tandy,     |
| Clay,     | Fields,   | Rollins,  | Thomas,    |
| Collins,  | Haynes,   | Rubey,    | Walker,    |
| Davisson, | Jewell,   | Smith,    | Zevely—23. |
| Dowell,   | Martin,   | Stubbs,   |            |

NAYS—None.

Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Lee,      | Orchard, | Schoenlaub, |
| Costello, | Marshall, | Ramp,    | Whaley—9.   |
| Heather,  |           |          |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Stubbs moved that the vote by which Senate bill No. 310, was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins moved that the rules be suspended and that Senate bill No. 20 be taken up.

The motion prevailed.

Senate bill No. 20, entitled

An act to amend sections 1313 and 1314, Revised Statutes, 1899, so as to require directors or managers to make oath to their statement for articles of incorporation and providing for the original sworn statement to be filed with Secretary of State,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Matthews, | Sullivan,  |
| Bradley,  | Farris,   | Morton,   | Tandy,     |
| Collins,  | Fields,   | Rollins,  | Thomas,    |
| Davisson, | Haynes,   | Rubey,    | Walker,    |
| Dowell,   | Jewell,   | Stubbs,   | Zevely—20. |

NAYS—None.

Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Heather,  | Martin,  | Schoenlaub, |
| Clay,     | Lee,      | Orchard, | Smith,      |
| Costello, | Marshall, | Ramp,    | Whaley—12.  |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rollins moved to reconsider the vote by which Senate bill No. 20 passed.

Senator Zevely moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins moved that the rules be suspended and that Senate bill No. 97 be taken up.

The motion prevailed.

Senate bill No. 97, entitled

An act to amend chapter 12, article 9 of the Revised Statutes of 1899, entitled "Corporations, private," by adding a new section thereto,

to be known as section 1314a, making it the duty of the Secretary of State to investigate statements made for articles of incorporation, and upon discovery of fraud to revoke certificate of incorporation and submit results to the grand jury.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Drabelle, | Morton,  | Sullivan,  |
| Bradley,  | Farris,   | Rollins, | Tandy,     |
| Collins,  | Fields,   | Rubey,   | Thomas,    |
| Davisson, | Jewell,   | Stubbs,  | Zevely—18. |
| Dowell,   | Martin,   |          |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Clarke,   | Heather,  | Orchard,    | Smith,     |
| Clay,     | Lee,      | Ramp,       | Walker,    |
| Costello, | Marshall, | Schoenlaub, | Whaley—14. |
| Haynes,   | Matthews, |             |            |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which Senate bill No. 97 passed be reconsidered.

Senator Zevely moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton called up House bill No. 528, and moved that the Senate recede from Senate amendment No. 1 to the bill.

The motion prevailed.

Senator Morton moved that the Senate insist upon the adoption of Senate amendments Nos. 2 and 3 to House bill No. 528.

The motion prevailed.

Senator Rubey, from the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other educational institutions during the years 1901 and 1902.

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendments;

Which was read and referred to Committee of the Whole.

Senator Rubey moved that the Senate resolve itself into a Committee of the Whole to consider appropriation bill.

The motion prevailed.

The Senate resolved itself into Committee of the Whole.

Regular session resumed.

Senator Fields, from the Committee of the Whole, submitted the following report:

Mr. President: Your Committee of the Whole, to which was referred House bill No. 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvements of the eleemosynary and penal institutions of the State for the years 1901 and 1902.

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendments 1 to 13;

Which was read.

Senate amendments to House bill No. 467:

(All amendments apply to printed copy of the bill.)

Amendment No. 1 to House bill No. 467:

Amend section 2 by striking out in line five the figures "1,000," and inserting in lieu thereof the figures "2,000"; by striking out in line six the figures "500," and inserting in lieu thereof the figures "700," by striking out in line 10 the figures "7,000," and inserting in lieu thereof the figures "8,500," and by striking out in line 12 the figures "\$60,000.00," and inserting in lieu thereof "\$62,700.00;" also by striking out the words "sixty thousand" in line two, and inserting in lieu thereof, the words "sixty-two thousand seven hundred dollars;

Read first and second times and agreed to.

Amendment No. 2 to House bill No. 467:

Amend section 3 by striking out the same and inserting in lieu thereof, the following:

Section 3. For the State Hospital for the Insane, No. 2, at St. Joseph, the sum of sixty-nine thousand dollars as follows:

|  |             |
|--|-------------|
| For salaries of officers.....          | \$22,500 00 |
| For repairs and painting.....          | 8,000 00    |
| For two new buildings.....             | 20,000 00   |
| For building for colored patients..... | 15,000 00   |
| For new bake oven.....                 | 1,500 00    |
| For brick making.....                  | 2,000 00    |

Total ..... \$69,000 00

Provided, that upon the completion of the building for colored patients, it is recommended that all colored patients confined at the other State hospitals for the insane be transferred to the State Hospital for the Insane, No. 2, at St. Joseph, and it is further recommended during the present biennial period the colored insane of the State shall be received at said hospital No. 2. For the purpose of making any transfer of colored patients there is hereby appropriated the sum of seven hundred and fifty dollars (\$750.00) or so much thereof as may be necessary.

Any liability incurred in excess of this amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Read first and second times and agreed to.

Amendment No. 3 to House bill No. 467:

Amend section 4 by striking out the same and inserting in lieu thereof, the following:

Section 4. For the State Hospital for the Insane, No. 3, at Nevada, the sum of fifty-three thousand three hundred dollars as follows:

|                               |             |
|-------------------------------|-------------|
| For salaries of officers..... | \$16,800 00 |
| For shop for machinery.....   | 1,500 00    |
| For general repairs.....      | 10,000 00   |
| For new building.....         | 20,000 00   |
| For ice plant.....            | 5,000 00    |

Total ..... \$53,300 00

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Read first and second times and agreed to.

Amendment No. 4 to House bill No. 467:

Amend section 6 as follows: By inserting in line five "47,080.00" in lieu of "46,000.00;" by striking out all of line 8 and inserting in lieu thereof the words and figures "for fire-proof building, three story, home for little children, 26,000.00;" and by inserting in line 9 "\$173,080.00" in lieu of "\$164,000.00;" by inserting in lines 2 and 3 "one hundred and seventy-three thousand and eighty dollars" in lieu of "one hundred and sixty-four thousand;"

Read first and second times, and agreed to.

Amendment No. 5 to House bill No. 467:

Amend section 8 as follows: By inserting in line 7 after the word "painting," the words "and repairs;" and by inserting the figures "1,000.00" in lieu of "400.00" in same line; by inserting between lines 7 and 8 the words and figures as follows: "For library, 250.00;" also, by inserting in line 8, "\$43,350.00" in lieu of "\$42,500.00;" by in-

serting in line 2 the words "forty-three thousand three hundred and fifty" in lieu of "forty-two thousand five hundred;,"

Read first and second times, and agreed to.

Amendment No. 6 to House bill No. 467:

Amend section 9 by inserting in line 4 "\$10,000.00" in lieu of "\$8,000.00;" by inserting in line 6 the figures "24,000.00" in lieu of "20,000.00;" by inserting in line 18 the figures "1,500.00" in lieu of "750;" by inserting in line 19 "\$53,610.00" in lieu of "\$46,860.00;" by striking out the words "forty-six thousand eight hundred and sixty," in line 2, and inserting in lieu thereof the words "fifty-three thousand six hundred and ten;"

Read first and second times and agreed to.

Amendment No. 7 to House bill No. 467:

Amend section 11 by striking out all of lines 5, 9 and 12; also, by striking out all of line 8 and inserting in lieu thereof the words and figures as follows: "For hospital and main buildings, \$22,000.00;" also, by inserting in line 15 the figures "\$48,540.00" in lieu of "\$47,540.00;" by striking out the words "forty-seven thousand five hundred and forty," in line 2, and inserting in lieu thereof the words "forty-eight thousand five hundred and forty;"

Read first and second times and agreed to.

Amendment No. 8 to House bill No. 467:

Amend section 12 by striking out the same and inserting in lieu thereof the following:

Sec. 12. For the Colony for Feeble-Minded and Epileptics, at Marshall, the sum of one hundred and fifty thousand dollars, as follows:

|   |            |
|---|------------|
| For salaries of officers.....   | \$5,700 00 |
| For support and maintenance.....  | 30,000 00  |
| For completion of unfinished buildings and erection of other buildings..... | 75,000 00  |
| For power house, boiler plant, pumps and electric light plant.....          | 15,800 00  |
| For laundry, kitchen and store-room.....                                    | 7,000 00   |
| For furnishing buildings.....   | 5,000 00   |
| For dairy barn and dairy stock.....   | 2,500 00   |
| For cottage for officers quarters.....                                      | 6,000 00   |
| For equipping farm and improving grounds.....                               | 3,000 00   |

Total ..... \$150,000 00

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Read first and second times and agreed to.

Amendment No. 9 to House bill No. 467:

Amend committee substitute for House bill No. 467 by striking out all of section 13 of printed bill, and substituting the following new section in lieu thereof:

Section 13. For the State Hospital for the Insane, No. 4, at Farmington, the sum of one hundred and forty-five thousand dollars (\$145,000.00), as follows:

|  |             |
|--|-------------|
| For salaries of officers, pay of employees, and support and maintenance.....                     | \$25,000 00 |
| For dining room and kitchen.....   | 30,000 00   |
| For laundry and equipment.....   | 7,000 00    |
| For furnishing new buildings other than dining room and kitchen.....                             | 5,000 00    |
| For barn, live stock, machinery, and improvement of farm.....                                    | 4,000 00    |
| For building for violent insane.....   | 29,000 00   |
| For equipment of kitchen and dining-room.....  | 6,000 00    |
| For store-house, for all supplies with cold refrigerator plant, and ice machine in basement..... | 15,000 00   |
| For continuation of present system of sewerage to river.....                                     | 10,000 00   |
| For extension of present heating system and tunnel to new buildings.....                         | 8,000 00    |
| For superintendent's residence.....  | 6,000 00    |

Total ..... \$145,000 00

Provided, That the money appropriated by this section, except that for salaries of officers, pay of employees, and support and maintenance, shall be paid out under the supervision of a commission consisting of three persons, to be appointed by the Governor. Said commission to have all the powers as provided for in the original act, entitled "An act to establish an insane asylum in the southeastern portion of the State, to be known as State Lunatic Asylum, No. 4, and to appropriate money therefor."

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Read first and second times, and agreed to.

Amendment No. 10 to House bill No. 467:

Amend section 14 by striking out the words "six hundred and," in lines 1 and 2; also, by striking out all of lines 3 and 4;

Read first and second times and agreed to.

Amendment No. 11 to House bill No. 467:

Amend section 15 by striking out in lines 10 and 11 the words and figures "two hundred and fifty thousand dollars (\$250,000)," and inserting in lieu thereof the words and figures "three hundred thousand dollars (\$300,000);"

Read first and second times and agreed to.

Amendment No. 12 to House bill No. 467:

Amend section 16 by striking out in lines 10 and 11 the words and figures "three hundred thousand dollars (\$300,000)," and inserting in lieu thereof the words and figures, "four hundred thousand dollars (\$400,000);"

Read first and second times and agreed to.

Amendment No. 13 to House bill No. 467:

Amend by adding a new section as follows:

Section 26. Whereas, The unfinished condition of asylum No. 4, located at Farmington and the unfinished condition of the institution for the feeble-minded and epileptics, located at Marshall, and the immediate necessity of other appropriations in this bill, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

Read first and second times and agreed to.

The rules were suspended.

House bill No. 467, as amended, entitled

An act to appropriate money for the support, maintenance, repairs and improvement of the eleemosynary and penal institutions of the State for the years 1901 and 1902,

Was read third time, placed upon its passage, and passed by the following vote :

YEAS—Senators

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Biggs,    | Dowell,   | Matthews, | Sullivan, |
| Bradley,  | Drabelle, | Morton,   | Tandy,    |
| Clay,     | Farris,   | Rollins,  | Thomas,   |
| Collins,  | Fields,   | Rubey,    | Walker,   |
| Costello, | Haynes,   | Smith,    | Zevly—23. |
| Davisson, | Martin,   | Stubbs,   |           |

NAYS—None.

Absent with leave—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Lee,      | Orchard, | Schoenlaub, |
| Heather, | Marshall, | Ramp,    | Whaley—9.   |
| Jewell,  |           |          |             |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Biggs,    | Dowell,   | Matthews, | Sullivan, |
| Bradley,  | Drabelle, | Morton,   | Tandy,    |
| Clay,     | Farris,   | Rollins,  | Thomas,   |
| Collins,  | Fields,   | Rubey,    | Walker,   |
| Costello, | Haynes,   | Smith,    | Zevly—23. |
| Davisson, | Martin,   | Stubbs,   |           |

NAYS—None.

Absent with leave—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Lee,      | Orchard, | Schoenlaub, |
| Heather, | Marshall, | Ramp,    | Whaley—9.   |
| Jewell,  |           |          |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rubey moved that the vote by which House bill No. 467, together with the emergency clause, was passed, be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

The following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 263, entitled

An act entitled "An act to make wages payable in money, and fixing penalties for the violation thereof;"

Also, House bill No. 12, entitled

An act to repeal section 4656, chapter 64 of the Revised Statutes of 1899, and to enact in lieu thereof a new section;

Also, House bill No. 156, entitled

An act to repeal sections 3761, 3769, 3770 and 3773, chapter 14, article 1, Revised Statutes of Missouri, relating to juries, and enact four new sections in lieu thereof, relieving the county courts from drawing grand juries under the constitutional amendment;

Title amended and agreed to;

In which the concurrence of the Senate is respectfully requested;

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the two following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate joint and concurrent resolution No. 13, entitled

Joint and concurrent resolution No. 13, providing for the amendment of article ten (X) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (X), and inserting in lieu thereof a new section, to be known and designated as section twelve (12), relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri;

Also, Senate bill No. 207, entitled

An act to punish the crime of stealing or maliciously removing journal bearings, fixtures or attachments from locomotives, tenders, freight or passengers cars,

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department,"

Was taken up, read second time, and referred to the Committee on Ways and Means.

Senate bill No. 334, entitled

An act to amend article 2, section 3019 of the Revised Statutes of State of Missouri, entitled "Excise Commissioners," and enact a new section in lieu thereof,

Was taken up, read second time, and referred to the Committee on Municipal Corporations.

Senate bill No. 335, entitled

An act to provide for the examination of corporations doing business in this State, and to create the office of corporation examiners and to provide for the appointment and the powers and the duties thereof,

Was taken up, read second time, and referred to the Committee on Private Corporations.

Senator Walker, from the Committee on Eleemosynary Institutions and Public Health, submitted the following report :

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred Senate bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of the State of Missouri, 1899, relating to the Legislature,

Begs leave to report that it has examined the same and recommends that it do pass ;

Which was read.

Senator Martin, from the Committee on Ways and Means, submitted the following report :

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department,"

Begs leave to report that it has examined the same and recommends that it do pass ;

Which was read.

Senator Rollins moved that when the Senate adjourn it adjourn until 10 a. m. Monday.

The motion prevailed.

On motion of Senator Morton the Senate took a recess until 3 p. m.

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## AFTERNOON SESSION.

The hour of recess having expired, the President called the Senate to order.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report :

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 217, entitled

An act to repeal section 9800 of article 1, chapter 154 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct ;

Which was read.

Senate enrolled bill No. 162, entitled

An act to amend section 9857 of article 1, chapter 154 of the Revised Statutes of 1899, entitled "Public schools," by striking out of line seven the words "of fifteen hundred," and inserting in lieu thereof the words "not to exceed two thousand,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business

would be suspended, the resolution read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The resolution was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 214, entitled

An act to amend section 7270 of article 9 of chapter 102, of the Revised Statutes of Missouri, 1899, entitled "Elections," and providing for registration of voters in cities having one hundred thousand or more inhabitants,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 251, entitled

An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled "Elections," and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 260, entitled

An act to amend article 8, chapter 15 of the Revised Statutes of Missouri of 1899, concerning offenses against public morals and decency, or the public police and miscellaneous offenses, by adding two new sections thereto, to be known as sections 2298a and 2298b,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The following message was received from the Governor through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, March 9, 1901.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, the following bills:

Senate bill No. 74, entitled "An act to amend section 6466 of article 19, chapter 91 of the Revised Statutes of the State of Missouri, 1899, entitled 'Public libraries and buildings.'"

Senate bill No. 157, entitled "An act entitled an act to amend section 302 of chapter 1, Revised Statutes of 1899, relating to State seminary moneys."

Respectfully,

A. M. DOCKERY, Governor.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 98, entitled

An act to require foreign corporations, not subject to prosecution in this State for making false affidavits for securing certificates of incorporation, to pay an annual tax;

Also, Senate bill No. 131, entitled

An act entitled an act for the relief of B. F. Elder and Albert Stone for the apprehension of one Ben Richardson, charged with murder;

Also, Senate bill No. 324, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri;

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senate bill No. 126, entitled

An act to regulate business and trade in cities having a population of fifty thousand or over, declaring it unlawful and making it a misdemeanor to transact business in violation of the provisions thereof, and providing a penalty for such violation; providing for the appointment of license commissioners in such cities, prescribing their powers, defining their duties and fixing their compensation,

Was taken up and ordered engrossed and printed.

House bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902,

Was taken up and read first time.

House bill No. 469, entitled

An act to repeal section 10105, article 1, chapter 162 of Revised Statutes of Missouri, 1899, entitled "Stenographers in cities and counties having three hundred and fifty thousand or more inhabitants," and to enact a new section in lieu thereof, to be known as section 10105,

Was taken up and read first time.

House bill No. 126, entitled

An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitation of actions,

Was taken up and read first time.

House bill No. 290, entitled

An act to perpetuate and preserve evidence explaining defects in the chain of title to real estate,

Was taken up and read first time.

House bill No. 358, entitled

An act to repeal section 4149 of chapter 44 of the Revised Statutes of Missouri of 1899, entitled "Landlords and tenants," and relating to changes of venue under said chapter, and to enact a new section in lieu thereof,

Was taken up and read first time.

House bill No. 398, entitled

An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deed of trust or other contract lien, securing a debt, with an emergency clause,

Was taken up and read first time.

House bill No. 263, entitled

An act entitled an act to make wages payable in money, and fixing penalties for the violation thereof,

Was taken up and read first time.

Committee substitute for House bill No. 156, entitled

An act to repeal sections 3761, 3769, 3770 and 3773, chapter 14, article 1, Revised Statutes of Missouri, relating to juries, and enact four new sections in lieu thereof, relieving the county courts from drawing grand juries under the constitutional amendment,

Was taken up and read first time.

House bill No. 12, entitled

An act to repeal section 4656, chapter 64 of the Revised Statutes of 1899, and to enact in lieu thereof a new section,

Was taken up and read first time.

Senator Dowell, from the Committee on Enrolled Bills submitted the three following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 33, entitled

An act to provide for the punishment of any one guilty of kidnaping or carrying away any child or other person, for purpose of obtaining ransom, with an emergency clause;

Also, joint and concurrent resolution

Submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article 9, and enacting a new section in lieu thereof;

Also, Senate bill No. 153, entitled

An act to amend article 8 of chapter 102 of the Revised Statutes of 1899, entitled "Registrations and elections in cities with 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities, with an emergency clause,

Begs leave to report that it has compared the same, and finds them to be truly enrolled;

Which were read.

Senate enrolled bill No. 33, entitled

An act to provide for the punishment of any one guilty of kidnaping or carrying away any child or other person,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 153, entitled

An act to amend article 8 of chapter 102 of the Revised Statutes of 1899, entitled "Registrations and elections in cities with 300,000 inhabitants or over," by the addition of a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled joint and concurrent resolution No. 9

Submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article 9, and enacting a new section in lieu thereof,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the resolution read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The resolution was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 144, entitled

An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court;

Also, House bill No. 257, entitled

An act providing for the semi-monthly payment of employes of manufactories;

Also, House bill No. 615, entitled

An act to dvde the State nto sixteen Congressional districts;

Also, House bill No. 143, entitled

An act in relation to the Twenty-fifth judicial circuit, dividing the court into two divisions, providing two judges for the transaction of the business of said court, for the appointment of an additional judge, and fixing the salaries of said judges, with amendment to title by adding "with an emergency clause;"

In which the concurrence of the Senate is respectfully requested;  
Which were read.

House bill No. 143, entitled

An act in relation to the Twenty-fifth judicial circuit, dividing the court into two divisions, providing two judges for the transaction of the business of said court, for the appointment of an additional judge, and fixing the salaries of said judges,

Was taken up and read first time.

House bill No. 144, entitled

An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court,

Was taken up and read first time.

Committee substitute for House bill No. 257, entitled

An act providing for the semi-monthly payment of employes of manufactories,

Was taken up and read first time.

House bill No. 615, entitled

An act to divide the State into sixteen Congressional districts,

Was taken up and read first time.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 85, entitled

An act to amend section 10137, chapter 163, entitled "Strays," and relating to notice and bond,

Begs leave to report that it has examined the same, and recommends that it do pass;

Which was read.

The two following communications were received from the Governor, through his Private Secretary, Mr. Crenshaw:

Jefferson City, March 9, 1901.  
Executive Department, State of Missouri, }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 47, entitled "An act requiring corporations owning or operating railroads in this State to maintain depots with resident agents in charge thereof at all places upon said railroads where depots have been erected in consideration of the grant of the right of way over any tract or tracts of land for such railroad, or in consideration of donations to the corporation building or constructing such railroads."

Respectfully,

A. M. DOCKERY, Governor.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 132, entitled "An act entitled an act to amend section 7502, chapter 110, Revised Statutes of 1899, relating to geology and mineralogy, and to enact a new section relating to the same subject, to be known as section 7502a, with an emergency clause."

Respectfully,

A. M. DOCKERY, Governor.

Which were read.

Senator Drabelle called up House bill No. 317, and moved that the bill be referred to the Committee on Judiciary.

The motion prevailed.

Senator Haynes, from the Committee on Judiciary, submitted the two following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 396, entitled

An act to authorize receivers, assignees, guardians, trustees, executors, administrators, curators or other fiduciaries, or any party in any civil proceeding or suit, to recover the cost of corporate suretyship,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred committee substitute for House bill No. 66, entitled

An act to repeal section 148 of article 8, chapter 1 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into passed by the House,

House bill No. 523, entitled

An act entitled "An act to repeal section 9547 of article 5, chapter 151 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;"

Also, House bill No. 482, entitled

An act to repeal section 9441, article 1, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 9441;

In which the concurrence of the Senate is respectfully requested;

Which were read.

House bill No. 523, entitled

An act entitled "An act to repeal section 9547 of article 5, chapter 151 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,"

Was taken up and read first time.

House bill No. 482, entitled

An act to repeal section 9441, article 1, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 9441,

Was taken up and read first time.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 634, entitled

An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act

of Congress of the United States, to be held at the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana Territory by the United States, and for an appropriation to pay the cost and expenses of the same;

In which the concurrence of the Senate is respectfully requested;  
Which was read.

House bill No. 634, entitled

An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act of Congress of the United States, to be held at the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana Territory by the United States, and for an appropriation to pay the cost and expenses of the same, with an emergency clause,

Was taken up and read first time.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the assessment and taxation of franchises,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senate enrolled committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled

An act to provide for the taxation of franchises and requiring the State Board of Equalization to assess the same, and providing penalties for the violation of the act, with an emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 9, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 33, entitled "An act to provide for the punishment of any one guilty of kidnaping or carrying away any child or other person for purpose of obtaining ransom, with emergency clause."

Respectfully,

A. M. DOCKERY,  
Governor.

Which was read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts,

Begs leave to report that it has compared the same, and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

On motion of Senator Martin, the Senate adjourned until 10 a. m. Monday.

## FIFTIETH DAY—Monday, March 11, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

The two following communications were received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 11, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, committee substitute for Senate bills Nos. 1, 6, 59, 105 and 114, entitled "An act to provide for the assessment and taxation of franchises." This bill received my approval on March 9, 1901, at 8 o'clock p. m.

Respectfully,  
A. M. DOCKERY,  
Governor.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, the following bills:

Senate bill No. 214, entitled "An act to amend section 7270 of article 9 of chapter 102, of the Revised Statutes of Missouri, 1899, entitled 'Elections,' and providing for registration of voters in cities having one hundred thousand or more inhabitants."

Senate bill No. 251, entitled "An act to amend section 7131 of article 4 of chapter 102 of the Revised Statutes of 1899, entitled 'Elections,' and relating to primaries in cities containing one hundred thousand inhabitants or over, with an emergency clause."

Respectfully,  
A. M. DOCKERY,  
Governor.

Which were read.

Senator Sullivan presented a remonstrance from the citizens of his district protesting against the passage of Senate bills Nos. 101 and 221, relating to the sale of patent medicines;

Read and referred to Committee on Criminal Jurisprudence.

House bill No. 12, entitled

An act to repeal section 4656, chapter 64 of the Revised Statutes of 1899, and to enact in lieu thereof a new section,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 126, entitled

An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitation of actions,

Was taken up, read second time, and referred to Committee on Judiciary.

Committee substitute for House bill No. 156, entitled

An act to repeal sections 3761, 3769, 3770 and 3773, chapter 14, article 1, Revised Statutes of Missouri, relating to juries, and enact four new sections in lieu thereof, relieving the county courts from drawing grand juries under the constitutional amendment,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

House bill No. 263, entitled

An act entitled an act to make wages payable in money, and fixing penalties for the violation thereof,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 290, entitled

An act to perpetuate and prescribe evidence explaining defects in the chain of title to real estate,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 358, entitled

An act to repeal section 4149 of chapter 44 of the Revised Statutes of Missouri of 1899, entitled "Landlords and tenants," and relating to changes of venue under said chapter, and to enact a new section in lieu thereof,

Was taken up, read second time, and referred to Committee on County Courts and Justices of the Peace.

House bill No. 398, entitled

An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deed of trust or other contract lien, securing a debt, with an emergency clause,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 469, entitled

An act to repeal section 10105, article 1, chapter 162 of Revised Statutes of Missouri, 1899, entitled "Stenographers in cities and counties having three hundred and fifty thousand or more inhabitants," and to enact a new section in lieu thereof, to be known as section 10105,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902,

Was taken up, read second time, and referred to Committee on Appropriations.

Committee substitute for House bill No. 257, entitled

An act providing for the semi-monthly payment of employees of manufactories,

Was taken up, read second time, and referred to Committee on Labor, Mines and Manufactories.

House bill No. 615, entitled

An act to divide the State into sixteen Congressional districts,

Was taken up, read second time, and referred to Committee on Representative Apportionment and Redistricting the State.

House bill No. 143, entitled

An act in relation to the Twenty-fifth judicial circuit, dividing the court into two divisions, providing two judges for the transaction of the business of said court, for the appointment of an additional judge, and fixing the salaries of said judges,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 144, entitled

An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 523, entitled

An act entitled "An act to repeal section 9547 of article 5, chapter 151 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,"

Was taken up, read second time, and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

House bill No. 482, entitled

An act to repeal section 9441, article 1, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 9441,

Was taken up, read second time, and referred to Committee on Agriculture, Roads, Highways, Bridges and Ferries.

House bill No. 634, entitled

An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act of Congress of the United States, to be held at the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana Territory by the United States, and for an appropriation to pay the cost and expenses of the same, with an emergency clause,

Was taken up, read second time, and referred to Committee on Louisiana Purchase Centennial.

Senator Tandy, from the Committee on Engrossed Bills, submitted the seven following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 63, entitled

An act to regulate the practice of veterinary medicine, veterinary surgery, or any branch thereof, including veterinary dentistry, in the State of Missouri, and prescribing penalty for the violation of the same;

Also, Senate bill No. 209, entitled

An act entitled an act to amend section 973, article 1, chapter 12, Revised Statutes of Missouri of 1899, entitled "Corporations—private:"

Also, Senate bill No. 300, entitled

An act to amend section 7732, chapter 118, article 3 of the Revised Statutes of the State of Missouri, 1899, relating to institutions—eleemosynary:

Also, Senate bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," of chapter 14 of Revised Statutes of Missouri, 1899;

Also, Senate bill No. 312, entitled

An act to amend section 1423, chapter 12, article 11 of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations:

Also, Senate bill No. 314, entitled

An act to provide for the reimbursement of Jasper county out of

the State Revenue and State Interest funds for moneys heretofore paid into the State treasury belonging to said county;

Also, Senate bill No. 327, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing section 5522, and enacting in lieu thereof a new section, to be known as section 5522,

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

The President announced the reception from the House of Representatives, House enrolled bill No. 238, entitled

An act to amend section 8919, article 1, chapter 141, Revised Statutes of Missouri, 1899, relating to release of State penitentiary convicts under the three-fourths rule;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 196, entitled

An act to amend article 2 of chapter 43 of the Revised Statutes of 1899, by adding a new section thereto, relating to the jurisdiction of justices of the peace;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also committee substitute for House enrolled bill No. 65, entitled

An act to apportion the State of Missouri into Representative districts, and to provide for the representation thereof;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the substitute read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 170, entitled

An act to repeal section 797 of article VI of chapter 119 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu

thereof, to be known as section 7957, and to take the place of said section in said article VI of said chapter 119, and relating to insurance;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 79, entitled

An act to amend article 1, chapter 42, Revised Statutes of Missouri, 1899, entitled "Juries, grand and petit," by adding a new section thereto, to be known as section 3782a, and relating to the number of jurors necessary to concur in order to render a verdict;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House bill No. 417, entitled

An act to prohibit managers, trustees, officers and employes of eleemosynary, educational institutions and members of police and election boards from being interested, directly or indirectly, in contracts for work or supplies for said institutions and providing for their removal;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 216, entitled

An act to authorize the transfer of fifty thousand dollars from the Insurance Department fund to the State Revenue fund;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 253, entitled

An act amending section 3285 of article II of chapter 27 of the Revised Statutes of Missouri of 1899, relating to salary of certain officers;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill.

at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 252, entitled

An act amending section 6169 of article 9 of chapter 91 of the Revised Statutes of Missouri, 1899, by striking out the figures "100,000," in the third line of said section, and inserting in lieu thereof the figures "150,000;"

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 122, entitled

An act to amend chapter 110, Revised Statutes of 1899, by adding a new section thereto, known as section 7503b, relating to geology and mineralogy—new section as to duties of State Geologist;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 146, entitled

An act amending section ten thousand five hundred and eleven of the Revised Statutes of 1899, relating to the Board of Visitors of the State University;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled committee substitute for House bills Nos. 31, 34, 37, 38, 39, 48, 49, 50, 110, 115, 116, 117, 113, 186, 256, entitled

An act to repeal sections 9427, 9432, 9436 and 9437, article 1, chapter 151, Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 9427, 9432, 9436 and 9437;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute at length. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer in the presence of

the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, enrolled House bill No. 221, entitled

An act to amend section 3500 of chapter 34 of Revised Statutes of Missouri of 1899, entitled "Guardians and curators;"

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 483, entitled

An act to amend article 2 of chapter 102 of the Revised Statutes of Missouri of 1899, relating to elections by adding thereto a new section, to be known as section 7084a;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 51, entitled

An act to amend section 9865, chapter 154, article 2, Revised Statutes of Missouri, 1899, entitled "City, town and village schools," by adding a new section thereto, to be known as section 9865a,

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Which were read.

The eight following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled "Jurisdiction in felonies and misdemeanors—information in courts of records" by striking out the word "misdemeanor," in the second line of said section, and inserting in lieu thereof the word "crime;"

Also, Senate bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3 of the Revised Statutes of 1899, by inserting between the words "indictment" and "except," in the first line thereof, the words "or information," and by striking out the word "provisions," in the 15th line of said section,

and inserting in lieu thereof the words "the last mentioned provision;"

Also, Senate bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof;

Which were read.

Mr. President: I am instructed by the House of Representatives, to inform the Senate that they have refused to concur in Senate amendments to committee substitute for House bill No. 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvements of the eleemosynary and penal institutions of the State for the years 1901 and 1902;

Which was read.

Mr. President: I am instructed by the House of Representatives, to inform the Senate that there has been introduced into and passed by the House,

House bill No. 400, entitled

An act to amend section 3261 of the Revised Statutes of the State of Missouri for 1899, relating to fees of justices of the peace;

Also, House bill No. 399, entitled

An act to amend section 3253 of the Revised Statutes of the State of Missouri for 1899, entitled "Fees of constables;"

Also, House bill No. 236, entitled

An act to encourage the establishment of school libraries and to secure for them good books at least cost;

Also, House bill No. 608, entitled

An act to provide for a State license tax on distilled liquors, including whisky, brandy, rum, gin and distilled spirits of all kinds, wines and all kinds of vinous liquors; to create the office of Special License Commissioner, and to provide for the appointment thereof by the Governor;

In which the concurrence of the Senate is respectfully requested;

Which were read.

House bill No. 400, entitled

An act to amend section 3261 of the Revised Statutes of the State of Missouri for 1899, relating to fees of justices of the peace,

Was taken up and read first time.

House bill No. 399, entitled

An act to amend section 3253 of the Revised Statutes of the State of Missouri for 1899, entitled "Fees of constables,"

Was taken up and read first time.

House bill No. 608, entitled

An act to provide for a State license tax on distilled liquors, including whisky, brandy, rum, gin and distilled spirits of all kinds, wines and all kinds of vinous liquors; to create the office of Special License Commissioner, and to provide for the appointment thereof by the Governor,

Was taken up and read first time.

House bill No. 236, entitled

An act to encourage the establishment of school libraries and to secure for them good books at least cost,

Was taken up and read first time.

The five following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed Senate joint and concurrent resolution No. 10, with amendments Nos. one and two:

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri:

Which was read.

Mr. President: I am instructed by the House of Representatives, to inform the Senate that there has been introduced into and passed by the House,

House bill No. 611, entitled

An act to appropriate the moneys accruing into the "State Fair fund" to the Board of Directors of the State Fair, to be expended in the establishment and maintenance of the Missouri State Fair;

Also, House bill No. 355, entitled

An act to enact new section of article 1, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with emergency clause:

Also, House bill No. 312, entitled

An appropriation to reimburse John G. Evans of Boone county, Missouri;

Also, House bill No. 512, entitled

An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of 1899, relating to the collector of the revenue;

In which the concurrence of the Senate is respectfully requested;  
Which were read.

House bill No. 611, entitled

An act to appropriate the moneys accruing into the "State Fair fund" to the Board of Directors of the State Fair, to be expended in the establishment and maintenance of the Missouri State Fair,

Was taken up and read first time.

House bill No. 312, entitled

An appropriation to reimburse John G. Evans of Boone county, Missouri,

Was taken up and read first time.

House bill No. 355, entitled

An act to enact new section of article 1, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with emergency clause,

Was taken up and read first time.

House bill No. 512, entitled

An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of 1899, relating to the collector of the revenue,

Was taken up and read first time.

Senator Tandy, from the Committee on Engrossed Bills, submitted the two following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 289, entitled

An act to amend section 278 of article 14, chapter 1, Revised Statutes, 1899, in relation to "appeals;"

Also, Senate bill No. 296, entitled

An act to amend section 5060, chapter 80 of the Revised Statutes of Missouri for 1899, entitled "Board of Charities,"

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate joint and concurrent resolution No. 12,

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation;

Also, Senate bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have, or which may hereafter have, over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses, and prescribing penalties for violating the provisions of this act,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senate enrolled joint and concurrent resolution No. 12,

Submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the resolution read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The resolution was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 68, entitled

An act providing for the registration of voters for primary purposes in all cities in this State which now have, or which may hereafter have, over 300,000 inhabitants; governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses, and prescribing penalties for violating the provisions of this act,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 308, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

On motion of Senator Clarke, the Senate took a recess until 2:30 p. m.

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### AFTERNOON SESSION.

The President called the Senate to order at 2:30 p. m.

Senator Tandy reported sick.

Senator Whaley, from the Auditing Committee, presents report:

[Report not to be found.]

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that there has been introduced into and passed by the House,

House bill No. 527, entitled

An act to repeal sections 8392 and 8393, article 1, chapter 123, Revised Statutes of Missouri, 1899, entitled "Legislature," and to enact one new section in lieu thereof;

Also, House bill No. 549, entitled

An act to prohibit the buying or taking of any personal property, goods, wares or merchandise of any value by any pawnbroker, junk dealer, or dealer in second-hand goods or merchant from any minor, without the consent of such minor's parents or guardians had in writing and to provide a penalty for the violation of this act,

In which the concurrence of the Senate is respectfully requested;

Which were read.

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House of Representatives has refused to concur in Senate amendment No. 1 to House bill No. 40, entitled

An act to amend section 4 of article 2, chapter 12 of Revised Statutes of Missouri, 1899, entitled "Railroad companies;"

Which was read.

Senator Drabelle called up Senate joint and concurrent resolution No. 10, and moved that the Senate concur in House amendments Nos. 1 and 2.

House amendment No. 1 to Senate joint and concurrent resolution No. 10:

Amend Senate joint and concurrent resolution No. 10 by adding immediately after the word "same," in line 32 of printed copy, the

following: "Provided, further, that in the city of Kansas City the amount of bonds issued by said city, bearing date July 1, 1895, for acquiring water works and all bonds hereafter issued in renewal of said bonds or any portion thereof shall not be included in the computation of the existing bonded indebtedness of said city in determining the amount of bonds authorized to be issued by said city, with the assent of two-thirds of the voters under the provisions of this article, but said city shall be authorized at any time to issue bonds with assent aforesaid to an amount including outstanding indebtedness, other than that above named, to the amount of five per centum of the value of the taxable property in said city to be ascertained as above specified,"

Was read and concurred in by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Martin,   | Rubey,      |
| Bradley,  | Drabelle, | Matthews, | Schoenlaub, |
| Clarke,   | Farris,   | Morton,   | Sullivan,   |
| Clay,     | Fields,   | Orchard,  | Thomas,     |
| Collins,  | Heather,  | Ramp,     | Walker,     |
| Costello, | Jewell,   | Rollins,  | Whaley—24.  |

NAYS—None.

Absent with leave—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Davisson, | Lee,      | Smith,  | Tandy,    |
| Haynes,   | Marshall, | Stubbs, | Zevely—8. |

Sick—Senator Cooper—1.

House amendment No. 2 to Senate joint and concurrent resolution No. 10:

Amend Senate joint and concurrent resolution No. 10 by adding immediately after the word "same," in line 79, of the printed copy, the following: "Provided, further, that in the city of Kansas City, the amount of the bonds issued by said city, bearing date July 1, 1895, for acquiring water works and all bonds hereafter issued in renewal of said bonds or any portion thereof shall not be included in the computation of the existing bonded indebtedness of said city in determining the amount of bonds authorized to be issued by said city, with the assent of two-thirds of the voters under the provisions of this article, but said city shall be authorized at any time to issue bonds with the assent aforesaid to an amount including outstanding indebtedness other than that above named, to the amount of five per centum of the value of the taxable property in said city to be ascertained as above specified,"

Was read and concurred in by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Matthews, | Schoenlaub, |
| Bradley,  | Farris,   | Morton,   | Stubbs,     |
| Clarke,   | Fields,   | Orchard,  | Sullivan,   |
| Clay,     | Heather,  | Ramp,     | Thomas,     |
| Collins,  | Jewell,   | Rollins,  | Walker,     |
| Costello, | Martin,   | Rubey,    | Whaley—25.  |
| Dowell,   |           |           |             |

NAYS—None.

Absent with leave—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Davisson, | Lee,      | Smith, | Zevely—7. |
| Haynes,   | Marshall, | Tandy, |           |

Sick—Senator Cooper—1.

Senate joint and concurrent resolution No. 10, as amended, entitled

Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Martin,   | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Stubbs,     |
| Clarke,   | Fields,   | Morton,   | Sullivan,   |
| Clay,     | Haynes,   | Orchard,  | Thomas,     |
| Collins,  | Heather,  | Ramp,     | Walker,     |
| Costello, | Jewell,   | Rubey,    | Whaley—25.  |
| Dowell,   |           |           |             |

## NAYS—None.

## Absent with leave—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Davisson, | Marshall, | Smith, | Zevely—7. |
| Lee,      | Rollins,  | Tandy, |           |

## Sick—Senator Cooper—1.

Title read and agreed to.

Senator Clarke moved that the vote by which the resolution was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senator Zevely granted leave of absence.

Senator Martin called up House amendments to Senate bill No. 44, and moved that the Senate concur.

## House amendment No. 1 to Senate bill No. 44:

## Amendment No. 1:

Amend Senate bill No. 44 by striking out the word "thereon," in the 28th line of section 1 of the printed bill, and inserting in lieu thereof the words "thereof on,"

Was read and concurred in by the following vote:

## YEAS—Senators,

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Matthews, | Schoenlaub. |
| Bradley,  | Farris,   | Morton,   | Stubbs,     |
| Clarke,   | Fields,   | Orchard,  | Sullivan,   |
| Clay,     | Haynes,   | Ramp,     | Thomas,     |
| Collins,  | Heather,  | Rollins,  | Walker.     |
| Costello, | Jewell,   | Rubey,    | Whaley—26.  |
| Dowell,   | Martin,   |           |             |

## NAYS—None.

## Absent with leave—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Davisson, | Marshall, | Tandy, | Zevely—7. |
| Lee,      | Smith,    |        |           |

## Sick—Senator Cooper—1.

## House amendment No. 2 to Senate bill No. 44:

Amend Senate bill No. 44 by adding at the end of section 1, in the 79th line of the printed bill, the following words: "Nothing herein provided shall be deemed to preclude the service of process in any other manner provided by law,"

Was read and concurred in by the following vote:

## YEAS—Senators,

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Stubbs,     |
| Clarke,   | Fields,   | Matthews, | Sullivan,   |
| Clay,     | Haynes,   | Morton,   | Thomas,     |
| Collins,  | Heather,  | Orchard,  | Walker,     |
| Costello, | Jewell,   | Rollins,  | Whaley—25.  |
| Dowell,   |           |           |             |

## NAYS—None.

## Absent with leave—Senators

|           |        |        |           |
|-----------|--------|--------|-----------|
| Davisson, | Ramp,  | Smith, | Zevely—7. |
| Lee,      | Rubey, | Tandy, |           |

## Sick—Senator Cooper—1.

Senate bill No. 44, as amended, entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Smith,      |
| Clarke,   | Fields,   | Matthews, | Sullivan,   |
| Clay,     | Haynes,   | Morton,   | Thomas,     |
| Collins,  | Heather,  | Ramp,     | Walker,     |
| Costello, | Jewell,   | Rubey,    | Whaley—25.  |
| Dowell,   |           |           |             |

NAYS—None.

Absent with leave—Senators

|           |          |         |           |
|-----------|----------|---------|-----------|
| Davisson, | Orchard, | Stubbs, | Zevely—7. |
| Lee,      | Rollins, | Tandy,  |           |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Martin moved that the vote by which the bill was passed be reconsidered.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

A communication was received from the Governor:

[See Appendix.]

Senator Clarke called up Senate bill No. 37, and moved that the Senate concur in House amendments to the bill.

House amendment No. 1 to Senate bill No. 37:

Amend section 3 by striking out of the fourth line thereof the words "and equal,"

Was read and concurred in by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Martin,   | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clarke,   | Fields,   | Morton,   | Stubbs,     |
| Clay,     | Haynes,   | Orchard,  | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Costello, | Jewell,   | Rollins,  | Walker,     |
| Dowell,   | Marshall, | Rubey,    | Whaley—28.  |

NAYS—None.

Absent with leave—Senators

|           |      |        |           |
|-----------|------|--------|-----------|
| Davisson, | Lee, | Tandy, | Zevely—4. |
|-----------|------|--------|-----------|

Sick—Senator Cooper—1.

House amendment No. 2 to Senate bill No. 37:

Amend section 4 by striking out of line 2 thereof the word "forty-five," and inserting in lieu thereof the word "thirty-five," and by striking out of line 3 of said section the word "twenty-five," and inserting in lieu thereof the word "fifteen," and by striking out all of said section 4 after the word, "Jackson," in the fourth line of said section,

Was read and concurred in by the following vote:

YEAS—Senators,

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clarke,   | Fields,   | Morton,   | Stubbs,     |
| Clay,     | Haynes,   | Orchard,  | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Costello, | Jewell,   | Rollins,  | Walker,     |
| Dowell,   | Martin,   | Rubey,    | Whaley—28.  |

NAYS—None.

Absent with leave—Senators

|           |      |        |           |
|-----------|------|--------|-----------|
| Davisson, | Lee, | Tandy, | Zevely—4. |
|-----------|------|--------|-----------|

Sick—Senator Cooper—1.

House amendment No. 3 to Senate bill No. 37:

Strike out all of section five and insert in lieu thereof the following:

Section 5. The clerk of the circuit court of Jackson county shall arrange and apportion the cases filed in Kansas City as follows: All cases whose number shall end with the figures 1 or 2 to division No. 1, all cases whose number shall end with the figures 3 or 4 to division No. 2, all cases whose number shall end with the figures 5 or 6 to division No. 3, all cases whose number shall end with the figures 7 or 8 to division No. 4, and all cases whose number shall end with the figure 9 to division No. 5, there shall be no cases numbered so as to end with a cipher.

Was read and concurred in by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Ramp,       | Walker,    |
| Costello, | Jewell,   | Rollins,    | Whaley—27. |
| Dowell,   | Marshall, | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

|           |        |        |           |
|-----------|--------|--------|-----------|
| Davisson, | Rubey, | Tandy, | Zevely—5. |
| Lee,      |        |        |           |

Sick—Senator Cooper—1.

House amendment No. 4 to Senate bill No. 37:

Strike out all of section six and insert in lieu thereof the following:

Section 6. The judge of division No. 5 of the circuit court shall preside over the circuit court at Independence and over division No. 5 at Kansas City during his term of office and afterwards at the beginning of the term of office of any judge or judges of said court they shall determine by lot or otherwise over which of the divisions each shall preside during his term of office.

Was read and concurred in by the following vote:

YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Ramp,       | Walker,    |
| Costello, | Jewell,   | Rollins,    | Whaley—27. |
| Dowell,   | Marshall, | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

|           |        |        |           |
|-----------|--------|--------|-----------|
| Davisson, | Rubey, | Tandy, | Zevely—5. |
| Lee,      |        |        |           |

Sick—Senator Cooper—1.

House amendment No. 5 to Senate bill No. 37:

Striking out of the title of said bill and insert in lieu thereof the following: "An act to create an additional division in and for the circuit court of the Sixteenth judicial circuit in Jackson county, for the appointment and election of an additional judge of said circuit court, for the numbering, arranging and apportionment of cases filed in said court, and to empower the judges of said court to make rules of court for the numbering, distribution and transfer of cases therein among the divisions of said circuit court, and to make rules for other purposes; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of cases between the court at Independence and Kansas City, with an emergency clause."

Was read and concurred in.

Senate bill No. 37, as amended, entitled

An act to create an addition civil division in and for the circuit court of the Sixteenth judicial circuit at Kansas City, Jackson county;

for the appointment and election of an additional judge of said circuit court; to increase the salaries of the judges of said court; to empower the judges of said circuit court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said circuit court and to make rules for other purposes; to abolish the criminal court of said county and to vest the jurisdiction thereof in the Jackson county circuit court; to transfer the judge of the criminal court to the office of circuit judge; to abolish the offices of county marshal and clerk of the criminal court of said county; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of civil cases between the court at Independence and Kansas City,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Ramp,       | Walker,    |
| Costello, | Jewell,   | Rollins,    | Whaley—27. |
| Dowell,   | Marshall, | Schoenlaub, |            |

## NAYS—None.

## Absent with leave—Senators

|           |        |        |           |
|-----------|--------|--------|-----------|
| Davisson, | Rubey, | Tandy, | Zevely—5. |
| Lee,      |        |        |           |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Clarke moved to reconsider the vote by which the bill passed.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 211, entitled

An act authorizing the appointment of quartermaster sergeants of the National Guard of Missouri;

Also, Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations;"

Also, Senate bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the "Legislature,"

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Whaley called up Senate bill No. 80, and moved that it be indefinitely postponed.

Motion prevailed.

Senator Dowell, from Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate joint and concurrent resolution No. 8:

Submitting to the qualified voters of the State an amendments to section II, article X of the Constitution of Missouri,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senator Clay called up Senate bill No. 160, and moved that the Senate concur in House amendments.

Motion prevailed.

House amendment No. 1 to Senate bill No. 160:

Amend Senate bill No. 160 by striking out the words "board of state commissioners of public charities" in lines five and six of the printed bill and inserting in lieu thereof the words "State Board of Charities and Corrections,"

Was read and concurred in by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Ramp,       | Walker,    |
| Davisson, | Jewell,   | Schoenlaub, | Whaley—26. |
| Dowell,   | Marshall, |             |            |

NAY—Senator Rollins—1.

Absent with leave—Senators

|           |       |        |           |
|-----------|-------|--------|-----------|
| Costello, | Ruby, | Tandy, | Zevely—5. |
| Lee,      |       |        |           |

Sick—Senator Cooper—1.

House amendments Nos. 2, 3 and 4 to Senate bill No. 160:

Amend Senate bill No. 160, by striking out of line nine of the printed bill, the words "or having and deformity."

Amendment No. 3:

Amend Senate bill No. 160 by adding the following new section to be known as section 3, which shall read as follows:

Sec. 3. The necessity for this act going into effect at once on account of the fact that the New York Children's Aid Society is pouring car loads of children into the State without properly supervising them, thereby burdening our commonwealth, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

Amendment No. 4:

Amend the title to Senate bill No. 160 by adding thereto the following: "with an emergency clause."

Were read and concurred in by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Morton,     | Smith,     |
| Bradley,  | Fields,   | Orchard,    | Stubbs,    |
| Clarke,   | Haynes,   | Ramp,       | Sullivan,  |
| Clay,     | Heather,  | Rollins,    | Thomas,    |
| Collins,  | Jewell,   | Ruby,       | Walker,    |
| Davisson, | Marshall, | Schoenlaub, | Whaley—26. |
| Dowell,   | Martin,   |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Costello, | Lee,      | Tandy, | Zevely—6. |
| Drabelle, | Matthews, |        |           |

Sick—Senator Cooper—1.

Senate bill No. 160, as amended, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Farris,   | Matthews,   | Smith,     |
| Bradley, | Fields,   | Morton,     | Stumbs,    |
| Clarke,  | Haynes,   | Orchard,    | Sullivan,  |
| Clay,    | Heather,  | Ramp,       | Thomas,    |
| Collins, | Jewell,   | Rollins,    | Walker,    |
| Davison, | Marshall, | Rubey,      | Whaley—27. |
| Dowell,  | Martin,   | Schoenlaub, |            |

## NAYS—None.

## Absent with leave—Senators

|           |      |        |           |
|-----------|------|--------|-----------|
| Costello, | Lee, | Tandy, | Zevely—5. |
| Drabelle, |      |        |           |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Clay moved that the vote by which Senate bill No. 160 passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Stubbs,     |
| Clay,     | Fields,   | Morton,   | Thomas,     |
| Collins,  | Haynes,   | Orchard,  | Walker,     |
| Costello, | Heather,  | Rubey,    | Whaley—22.  |
| Dowell,   | Jewell,   |           |             |

## NAYS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Matthews, | Rollins, | Sullivan—7. |
| Davison, | Ramp,     | Smith,   |             |

## Absent with leave—Senators

|      |        |           |
|------|--------|-----------|
| Lee, | Tandy, | Zevely—3. |
|------|--------|-----------|

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which Senate bill No. 313 passed be reconsidered.

Senator Orchard moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 290, entitled

An act to perpetuate and preserve evidence explaining defects in the chain of title to real estate,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 74, entitled

An act to amend section 2627 of article 7 of chapter 16 of Revised Statutes of the State of Missouri of 1899, entitled "Practice and proceedings in criminal cases,"

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Tandy, from the Committee on Agriculture, Roads, Highways, Bridges and Ferries, submitted the following report:

Mr. President: Your Committee on Agriculture, Roads, Bridges and Ferries, to which was referred House bill No. 482, entitled

An act to repeal section 944I, article 1, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 944I,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senate bill No. 88 was taken up, read third time, and failed to pass by the following vote:

YEAS—Senators

|  |  |                                       |                                   |
|--|--|---------------------------------------|-----------------------------------|
| Biggs,<br>Bradley,<br>Clarke,<br>Clay, | Davisson,<br>Dowell,<br>Fields,<br>Martin, | Morton,<br>Ramp,<br>Rollins,<br>Ruey, | Smith,<br>Stubbs.<br>Sullivan—15. |
|--|--|---------------------------------------|-----------------------------------|

NAYS—Senators

|                                  |                                   |                                    |                       |
|----------------------------------|-----------------------------------|------------------------------------|-----------------------|
| Collins,<br>Drabelle,<br>Farris, | Jewell,<br>Marshall,<br>Matthews, | Orchard,<br>Schoenlaub,<br>Thomas, | Walker,<br>Whaley—11. |
|----------------------------------|-----------------------------------|------------------------------------|-----------------------|

Absent with leave—Senators

|                      |                  |        |           |
|----------------------|------------------|--------|-----------|
| Costello,<br>Haynes, | Heather,<br>Lee, | Tandy, | Zevely—6. |
|----------------------|------------------|--------|-----------|

Sick—Senator Cooper—1.

Senate bill No. 260 was taken up and laid over informally.

Senate bill No. 98 was taken up, read third time, and failed to pass by the following vote:

YEAS—Senators

|                                 |                    |                       |                      |
|---------------------------------|--------------------|-----------------------|----------------------|
| Biggs,<br>Collins,<br>Davisson, | Fields,<br>Martin, | Rollins,<br>Sullivan, | Thomas,<br>Walker—9. |
|---------------------------------|--------------------|-----------------------|----------------------|

NAYS—Senators,

|   |   |                                |                                     |
|---|---|--------------------------------|-------------------------------------|
| Bradley,<br>Clarke,<br>Clay,<br>Costello, | Dowell,<br>Drabelle,<br>Heather,<br>Marshall, | Matthews,<br>Orchard,<br>Ramp, | Schoenlaub,<br>Smith,<br>Stubbs—14. |
|---|---|--------------------------------|-------------------------------------|

Absent with leave—Senators

|                               |                 |                  |                      |
|-------------------------------|-----------------|------------------|----------------------|
| Farris,<br>Haynes,<br>Jewell, | Lee,<br>Morton, | Rubey,<br>Tandy, | Whaley,<br>Zevely—9. |
|-------------------------------|-----------------|------------------|----------------------|

Sick—Senator Cooper—1.

A message from the Governor.

[See Appendix.]

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, to which was referred House bill No. 375, entitled

An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities of ten thousand population or more, and to prohibit the employment of children during school hours,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Farris, from the Committee on Private Corporations, submitted the following report:

Mr. President: Your Committee on Private Corporations, to which was referred House bill No. 184, entitled

An act to amend section 1187, chapter 12 of article 3 of the Revised Statutes of the State of Missouri, relating to powers of corporations,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator bill No. 207, entitled

An act to punish the crime of stealing or maliciously removing journal bearings, fixtures or attachments from locomotives, tenders, freight or passengers cars,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Schoenlaub, |
| Bradley,  | Drabelle, | Martin,   | Smith,      |
| Clarke,   | Farris,   | Matthews, | Stubbs,     |
| Clay,     | Fields,   | Orchard,  | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Davisson, | Jewell,   | Rubey,    | Walker—24.  |

NAYS—None.

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Costello, | Lee,    | Rollins, | Whaley,   |
| Haynes,   | Morton, | Tandy,   | Zevely—8. |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Orchard moved that the vote by which Senate bill No. 207 was passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 217, entitled

An act to repeal section 9800 of article 1, chapter 154 of the Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Martin,   | Rubey,     |
| Clarke,   | Farris,   | Matthews, | Smith,     |
| Clay,     | Fields,   | Morton,   | Stubbs,    |
| Collins,  | Haynes,   | Orchard,  | Sullivan,  |
| Costello, | Heather,  | Ramp,     | Thomas,    |
| Davisson, | Jewell,   | Rollins,  | Walker—26. |
| Dowell,   | Marshall, |           |            |

NAY—Senator Bradley—1.

Absent with leave—Senators

|             |        |         |           |
|-------------|--------|---------|-----------|
| Lee,        | Tandy, | Whaley, | Zevely—5. |
| Schoenlaub, |        |         |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Sullivan moved that the vote by which Senate bill No. 217, passed be reconsidered.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 131, entitled

An act entitled an act for the relief of B. F. Elder and Albert Stone for the apprehension of one Ben Richardson, charged with murder,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Clarke,  
Clay,  
Collins,  
Costello,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,

Marshall,  
Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,

Rubey,  
Smith,  
Sullivan,  
Thomas,  
Walker,  
Whaley—24.

## NAYS—Senators

Bradley,

Davisson—2.

## Absent with leave—Senators

Lee,  
Martin,

Schoenlaub,  
Stubbs,

Tandy,

Zevely—6.

Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Orchard moved to reconsider the vote by which the bill passed.

Senator Sullivan moved to lay that motion on the table.

The latter motion prevailed.

Senator Whaley, from the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government, to which was referred substitute for House joint and concurrent resolution No. 12, entitled

Joint and concurrent resolution providing for the amendment of article ten (X) of the Constitution of the State of Missouri by repealing section twelve (12) of said article ten (X), and inserting in lieu thereof a new section, to be known and designated as section twelve (12) relating to the limit of indebtedness of counties, cities, towns, townships, school districts and other political corporations and subdivisions of the State of Missouri.

Begs leave to report that it has examined the same and recommends that the following substitute therefor do pass;

Which was read.

Senate committee substitute for House committee substitute for joint and concurrent resolution No. 12:

Providing for the amendment of article ten (X) of the Constitution of the State of Missouri, by adding a new section after section 12 of said article, to be known as section 12a of said article relating to the limit of indebtedness of certain cities,

Was read first and second times and agreed to.

Senator Drabelle moved that the rules be suspended and that Senate committee substitute for House joint and concurrent resolution No. 12 be taken up.

The motion prevailed.

Senate committee substitute for House joint and concurrent resolution No. 12:

Providing for the amendment of article ten (X) of the Constitution of the State of Missouri by adding a new section after section 12 of said article, to be known as section 12a of said article, relating to the limit of indebtedness of certain cities,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Marshall,

Martin,  
Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubey,

Schoenlaub,  
Smith,  
Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Whaley—29.

## NAYS—None.

Absent with leave—Senators

Lee, Tandy,

Zevely—3.

Sick—Senator Cooper—1.

Title to the resolution was read and agreed to.

Senator Rubey moved that the vote by which the resolution passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

The two following communications were received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 11, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 250, entitled "An act to amend chapter 118 of the Revised Statutes of the State of Missouri, entitled 'Institutions, eleemosynary.'"

Respectfully,  
A. M. DOCKERY,  
Governor.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate joint and concurrent resolution No. 9, submitting to the qualified voters an amendment to the Constitution of Missouri, repealing section 22, article IX, and enacting a new section in lieu thereof."

Respectfully,  
A. M. DOCKERY,  
Governor.

Which were read.

Senator Tandy, from the committee on Engrossed Bills, submitted the following report.

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 126, entitled

An act to regulate business and trade in cities having a population of fifty thousand or over, declaring it unlawful and making it a misdemeanor to transact business in violation of the provisions thereof, and providing a penalty for such violation; providing for the appointment of license commissioners in such cities, prescribing their powers, defining their duties and fixing their compensation,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the three following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled "Jurisdiction in felonies and misdemeanors—information in courts of record" by striking out the word "misdemeanor,"

in the second line of said section and inserting in lieu thereof the word "crime;"

Also, Senate bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3 of the Revised Statutes of 1899, by inserting between the words "indictment" and "except," in the first line thereof, the words "or information," and by striking out the word "provisions," in the 15th line of said section, and inserting in lieu thereof the words "the last mentioned provision,"

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Rubey moved that the Senate be resolved into a Committee of Whole to consider appropriation bills.

The motion prevailed.

The Senate resolved itself into a Committee of the Whole.

Regular session resumed.

Senator Fields, from the Committee of the Whole, submitted the two following reports:

Mr. President: Your Committee of the Whole, to which was referred House bill No. 334, entitled

An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee of the Whole, to which was referred House bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other educational institutions during the years 1901 and 1902,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendments 1 to 10, inclusive;

Which were read.

Senate amendments to House bill No. 593.

(All amendments apply to printed copy of the bill.)

Amendment No. 1:

Amend section 2 as follows: by striking out the words "sixty-four thousand," in lines 2 and 3, and inserting in lieu thereof the words "sixty-eight thousand;" by inserting in line 4 "\$31,000.00" in lieu of "\$27,000.00;" also by inserting in line 13 "\$68,550.00" in lieu of "\$64,550;"

Read first and second times and agreed to.

Amendment No. 2:

Amend section 3 as follows: by striking out the words "thirty-seven thousand and fifty," in lines 2 and 3, and inserting in lieu thereof the words "forty-four thousand six hundred and sixty;" by inserting in line 4 "\$40,610.00" in lieu of "\$33,000.00;" also by inserting in line 11 "\$44,660" in lieu of "\$37,050.00;

Read first and second times and agreed to.

Amendment No. 3:

Amend section 4 as follows: by striking out the words "forty-six thousand seven hundred and fifty," in line 3, and inserting in lieu thereof

the words "fifty-two thousand four hundred and fifty;" by striking out the figures in line 4 "\$23,000.00." and inserting in lieu thereof the figures "\$27,000.00;" by inserting in line 7 "\$2,000.00," in lieu of "\$800.00;" by inserting in line 9 "\$1,000.00" in lieu of "\$500.00;" by inserting in line 12 "\$52,450.00" in lieu of "\$46,750.00;"

Read first and second times and agreed to.

Amendment No. 4:

Amend section 5 as follows: by striking out the words "thirty thousand," in line 2, and inserting in lieu thereof the words "forty-two thousand;" by inserting in lines 4 and 5 the following words and figures: "For dormitory, \$10,000.00;" also by inserting in line 13 "5,090.00" in lieu of "3,090.00;" also by inserting in line 14, "\$42,590.00" in lieu of "\$30,590.00;"

Read first and second times and agreed to.

Amendment No. 5:

Amend section 7 as follows: by inserting between lines 12 and 13 the words and figures "For building and equipping medical building, \$40,000.00;" by inserting between lines 16 and 17 the words and figures "For building and equipping engineering laboratory, \$40,000.00;" by inserting in line 17 "\$3,000.00" in lieu of "\$2,000.00;" by striking out line 18 and inserting in lieu thereof "For libraries (\$5,000 to be used for law department) \$25,000.00;" by inserting in line 19 "\$25,000.00" in lieu of "\$5,000.00;" by inserting between lines 19 and 20 two lines as follows:

|  |          |
|--|----------|
| For improvements and repairs.....  | \$12,500 |
| For summer schol, 1902.....  | 4,000    |
| By inserting in line 34 "\$6,000.00," in lieu of "\$5,000.00;" by striking out line 35; by inserting in line 38 "\$304,700.00," in lieu of "\$167,200.00;" |          |

Read first and second times and agreed to.

Amendment No. 6:

Amend section 8 as follows: by striking out of line 2 the words "thirty-five," and inserting in lieu thereof the words "thirty-two;" by inserting after the word "salaries," in line 3 of said section, the words "and current expenses over and above the income from other sources;" by striking out the figures "\$22,000," in line 3, and inserting in lieu thereof the figures "\$32,000.00;" by striking out lines 4 and 5;

Read first and second times and agreed to.

Amendment No. 7:

Amend the bill by striking out section 9 thereof and inserting in lieu thereof the following:

Section 9. That the sums of money mentioned in this section be and the same are hereby appropriated during the years 1901-1902 out of the funds of the "State seminary moneys" and out of one-fifth of the money received from the tax collected on collateral inheritances, legacies, gifts and conveyances under article 16 of chapter 1 of the Revised Statutes of Missouri, 1899, not otherwise appropriated, for the improvement and for the purpose of erecting and equipping buildings for the School of Mines and Metallurgy at Rolla, as follows:

|   |          |
|---|----------|
| For the enlarging and improving the chemical and mining laboratory..... | \$12,000 |
| For a heating plant .....   | 13,000   |
| For erecting and equipping mechanical shops.....                        | 12,000   |

|             |          |
|-------------|----------|
| Total ..... | \$37,000 |
|-------------|----------|

And if one-fifth of the tax so received in the funds of the State Seminary moneys shall not be sufficient to satisfy all of said appropriations, then the deficiency of the same shall be chargeable to the moneys received in the funds known as the "Educational funds," to an amount not exceeding one-fifth thereof, out of the tax collected and received in said last mentioned fund from the collateral inheritances, legacies, gifts, and conveyances to the extent of one-fifth of the sum of amounts so received.

The disbursements of the various sums appropriated in this section shall be made in the order named herein.

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Read first and second times and agreed to.

Senate amendment No. 8:

Amend section 10 of the bill by adding after the word "same," in line 15 of said section, the following: "And if one-fifth of said educational fund shall not be sufficient to satisfy any such deficiency, then there is hereby appropriated out of the State treasury, not otherwise appropriated, chargeable to the general revenue fund, a sufficient sum of money to satisfy the deficiency in the payment of the same;

Read first and second times and agreed to.

Senate amendment No. 9:

Amend the bill by striking out section 11 and insert in lieu thereof the following:

Section 11. Said moneys hereby appropriated for the School of Mines and Metallurgy by sections 9 and 10 of this act shall be expended under the direction of the Executive Committee [appointed by the Board of Curators of the State University for the School of Mines], who shall employ a competent architect to prepare the necessary plans and specifications and superintend the erection of the same. And it shall be the duty of this Executive Committee to publish in two newspapers of the State notice that such plans and specifications may be seen and inspected at a designated place for a period of twenty days from the first publication of said notice, and that sealed proposals, in writing, for furnishing the materials and for the performance of the work therein mentioned, will be received by said committee at a designated place and that such bidders shall accompany their bids with bonds to the State of Missouri in such sums and with securities as shall be approved by said Executive Committee, conditional that he or they will, within the time required in said contract, faithfully perform and fulfill the covenants and stipulations therein contained and to deliver to said commissioners, upon the payments of the contract price, the buildings and improvements, or any part thereof contracted to be done or performed by him or them, with all material furnished free and clear from all claims, liens and incumbrances whatsoever.

Contracts for the constructions of these buildings shall not be made before the plans and specifications for same shall have been submitted to and approved by the Governor of the State.

All moneys appropriated by this act shall be distributed in pursuance of the provisions of section 7719, Revised Statutes of 1899, and not otherwise.

Read first and second times and agreed to.

Amendment No. 10:

Amend House bill No. 593 by striking out all of section 12 of said bill and inserting in lieu thereof the following:

Section 12. For the support and maintenance of the fruit experiment station at Mountain Grove, in Wright county, the sum of twenty-six thousand five hundred and twenty-five dollars, as follows:

|  |            |
|--|------------|
| For completion of station buildings.....   | \$2,000 00 |
| For salary of board of trustees.....   | 1,800 00   |
| For salary of manager .....  | 4,000 00   |
| For salaries for assistants .....  | 1,200 00   |
| For labor, scientific apparatus and equipments, experiment work and co-<br>operative experiments; tools, machinery, wagons, teams; printing bulle-<br>tins, circulars, etc; freight and expressage; fencing; library; fixtures in<br>station building and museum; postage and stationery; improvement of<br>grounds; barn; house for plants, hot house; traveling expenses board of<br>trustees, traveling expenses of manager; furnace for station building;<br>water supply for buildings and grounds; insurance on buildings; seeds,<br>nursery stock, plants; telephone to town..... | 17,525 00  |

Total .....\$26,525 00

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Read first and second times and agreed to.

The rules were suspended.

House bill No. 593, as amended, entitled

An act to appropriate money for the support, maintenance and improvement of the State university and other educational institutions during the years 1901 and 1902,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Martin,   | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clarke,   | Fields,   | Morton,   | Stubbs,     |
| Clay,     | Haynes,   | Orchard,  | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Costello, | Marshall, | Rubey,    | Walker—25.  |
| Davisson, |           |           |             |

## NAYS—None.

## Absent with leave—Senators

|           |          |         |           |
|-----------|----------|---------|-----------|
| Drabelle, | Lee,     | Tandy,  | Zevely—7. |
| Jewell,   | Rollins, | Whaley, |           |

## Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Martin,   | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clarke,   | Fields,   | Morton,   | Stubbs,     |
| Clay,     | Haynes,   | Orchard,  | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Costello, | Jewell,   | Rollins,  | Walker,     |
| Davisson, | Marshall, | Rubey,    | Whaley—28.  |

## NAYS—None.

## Absent with leave—Senators

|           |      |        |           |
|-----------|------|--------|-----------|
| Drabelle, | Lee, | Tandy, | Zevely—4. |
|-----------|------|--------|-----------|

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rubey moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey called up House bill No. 467, and moved that the Senate insist on Senate amendments to the bill and ask for a conference committee.

The motion prevailed.

Senate bill No. 283 was taken up.

Senator Collins moved that the bill be read the third time and placed upon its passage.

The motion prevailed.

Senate bill No. 283, entitled

An act to repeal sections 6539, 6540, 6541, 6544 and 6554, article 23, chapter 91 of the Revised Statutes of the State of Missouri, 1899, relating to juries in cities of over one hundred thousand inhabitants, and to enact new sections in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Thomas,     |
| Clay,     | Fields,   | Morton,   | Walker,     |
| Collins,  | Haynes,   | Orchard,  | Whaley—18.  |
| Costello, | Heather,  |           |             |

## NAYS—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clarke,   | Dowell,   | Ramp,    | Smith,      |
| Davisson, | Matthews, | Rollins, | Sullivan—3. |

## Absent with leave—Senators

|         |         |        |           |
|---------|---------|--------|-----------|
| Jewell, | Rubey,  | Tandy, | Zevely—6. |
| Lee,    | Stubbs, |        |           |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Collins moved that the vote by which the bill was passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, March 11, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 181, entitled "An act to repeal section 6263, chapter 91, Revised Statutes of Missouri, 1899, and enacting a new section in lieu thereof, provided for the election of certain officers and fixing their terms of office in cities and towns under special charters and having three thousand inhabitants or not more than ten thousand inhabitants, and repealing all acts or parts of acts in conflict; with an emergency clause."

Respectfully,  
A. M. DOCKERY,  
Governor.

Which was read.

Senator Thomas moved the rules be suspended and that House bill No. 245 be taken up.

The motion prevailed.

House bill No. 245, entitled

An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to railroad corporations,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Matthews, | Schoenlaub, |
| Bradley,  | Drabelle, | Morton,   | Stubbs,     |
| Clarke,   | Farris,   | Orchard,  | Sullivan,   |
| Clay,     | Fields,   | Ramp,     | Thomas,     |
| Collins,  | Heather,  | Rollins,  | Walker,     |
| Costello, | Marshall, | Rubey,    | Whaley—25.  |
| Davisson, |           |           |             |

NAYS—None.

Absent with leave—Senators

|         |         |        |           |
|---------|---------|--------|-----------|
| Haynes, | Lee,    | Smith, | Zevely—7. |
| Jewell, | Martin, | Tandy, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Thomas moved to reconsidered the vote by which the bill passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

The President appointed the following named Senators as conference committee on House bill No. 467:

Senators Clay, Martin and Davisson.

Senator Fields moved to suspend the rules and take up Senate bill No. 312.

Motion prevailed.

Senate bill No. 312, entitled

An act to amend section 1423, chapter XII, article II of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Matthews, | Smith,     |
| Bradley,  | Farris,   | Morton,   | Stubbs,    |
| Clarke,   | Fields,   | Orchard,  | Sullivan,  |
| Collins,  | Heather,  | Ramp,     | Thomas,    |
| Costello, | Marshall, | Rollins,  | Walker,    |
| Davisson, | Martin,   | Rubey,    | Whaley—24. |

## NAYS—None.

## Absent with leave—Senators

|           |         |             |           |
|-----------|---------|-------------|-----------|
| Clay,     | Haynes, | Lee,        | Tandy,    |
| Drabelle, | Jewell, | Schoenlaub, | Zevely—8. |

## Sick—Senator Cooper—1.

Title to the bill agreed to.

Senator Felds moved that the vote by which House bill No. 312 was passed be reconsidered.

Senator Collins moved to lay that motion on the table.

The latter motion prevailed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department,"

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Committee substitute for House bill No. 85, entitled

An act to amend section 10137, chapter 163, entitled "Strays," and relating to notice and bond,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Rubey,      |
| Bradley,  | Drabelle, | Martin,   | Schoenlaub, |
| Clarke,   | Farris,   | Matthews, | Smith,      |
| Clay,     | Fields,   | Morton,   | Sullivan,   |
| Collins,  | Haynes,   | Orchard,  | Thomas,     |
| Costello, | Heather,  | Ramp,     | Walker,     |
| Davisson, | Jewell,   | Rollins,  | Whaley—23.  |

## NAYS—None.

## Absent with leave—Senators

|      |         |        |           |
|------|---------|--------|-----------|
| Lee, | Stubbs, | Tandy, | Zevely—4. |
|------|---------|--------|-----------|

## Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Farris moved that the vote by which committee substitute for House bill No. 85 was passed be reconsidered.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

Senator Walker moved that the rules be suspended and that Senate bill No. 300 be taken up.

The motion prevailed.

Senate bill No. 300, entitled

An act to amend section 7732, chapter 118, article 3 of the Revised Statutes of the State of Missouri, 1899, relating to institutions—eleemosynary,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Sullivan,  |
| Bradley,  | Drabelle, | Morton,     | Thomas,    |
| Clay,     | Farris,   | Orchard,    | Walker,    |
| Collins,  | Heather,  | Schoenlaub, | Whaley—19. |
| Costello, | Marshall, | Stubbs,     |            |

## NAYS—Senators,

|           |          |          |
|-----------|----------|----------|
| Davisson, | Rollins, | Smith—2. |
|-----------|----------|----------|

## Absent with leave—Senators

|         |         |        |            |
|---------|---------|--------|------------|
| Clarke, | Jewell, | Ramp,  | Tandy,     |
| Fields, | Lee,    | Rubey, | Zevely—10. |
| Haynes, | Martin, |        |            |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 300 passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

The six following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that Messrs. Delzell, Organ and Palmer have been appointed as a conference committee to confer with a committee from the Senate for the purpose of adjusting the differences between the House and Senate on committee substitute for House bill 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvement of the eleemosynary and penal institutions of the State for the years 1901 and 1902;

Which was read.

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 629, entitled

An act to amend section 1423, chapter 12, article 11 of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations;

Also, substitute for committee substitute for House bill No. 331, entitled

An act to provide for the holding of primary elections and conventions in cities which now or may hereafter contain more than one hundred and seventy-five thousand and less than three hundred thousand inhabitants, regulating such primaries and conventions and prescribing penalties for the violation of said act;

Also, committee substitute for House bills Nos. 220 and 487, entitled

An act relating to the propagation of game animals, birds and fish, with an emergency clause;

Also, House bill No. 554, entitled

An act to amend section 9831 of chapter 154, article I, entitled "Public schools," Revised Statutes of Missouri, 1899;

Also, committee substitute for House bill No. 69, entitled

An act to repeal section 2305 of article 8, chapter 15 of the Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 2305, 2305a, 2305b, 2305c;

In which the concurrence of the Senate is respectfully requested;

Which were read.

House bill No. 457, entitled

An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands, and to amend section 8267, chapter 122, and to amend sections 8282, 8292, 8298 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Smith,     |
| Bradley,  | Drabelle, | Morton,     | Stubbs,    |
| Clarke,   | Farris,   | Orchard,    | Sullivan,  |
| Clay,     | Fields,   | Ramp,       | Thomas,    |
| Collins,  | Haynes,   | Rollins,    | Walker,    |
| Costello, | Heather,  | Rubey,      | Whaley—27. |
| Davisson, | Marshall, | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

|         |         |        |          |
|---------|---------|--------|----------|
| Jewell, | Martin, | Tandy, | Zevely—5 |
| Lee,    |         |        |          |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Marshall moved that the vote by which the bill was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 396, entitled

An act to authorize receivers, assignees, guardians, trustees, executors, administrators, curators or other fiduciaries, or any party in any civil proceeding or suit, to recover the cost of corporate suretyship,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Morton,     | Stubbs,    |
| Bradley,  | Fields,   | Orchard,    | Sullivan,  |
| Clarke,   | Haynes,   | Ramp,       | Tandy,     |
| Clay,     | Heather,  | Rollins,    | Thomas,    |
| Collins,  | Marshall, | Rubey,      | Walker,    |
| Costello, | Martin,   | Schoenlaub, | Whaley—27. |
| Dowell,   | Matthews, | Smith,      |            |

NAYS—None.

Absent with leave—Senators

|           |         |      |           |
|-----------|---------|------|-----------|
| Davisson, | Jewell, | Lee, | Zevely—2. |
| Drabelle, |         |      |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Biggs moved that the vote by which the bill was passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 61, entitled

An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled "Dower,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Morton,     | Stubbs,    |
| Clay,     | Farris,   | Orchard,    | Sullivan,  |
| Collins,  | Heather,  | Rollins,    | Thomas,    |
| Costello, | Martin,   | Rubey,      | Walker,    |
| Davisson, | Matthews, | Schoenlaub, | Whaley—20. |

## NAYS—Senators

|          |         |           |          |
|----------|---------|-----------|----------|
| Bradley, | Fields, | Marshall, | Smith—7. |
| Clarke,  | Haynes, | Ramp,     |          |

## Absent with leave—Senators

|           |      |        |           |
|-----------|------|--------|-----------|
| Drabelle, | Lee, | Tandy, | Zevely—5. |
| Jewell,   |      |        |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Heather moved that the vote by which the bill was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 324, entitled

An act to amend article 5 of chapter 91 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section No. 6003a,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Davisson, | Matthews,   | Stubbs,    |
| Bradley,  | Dowell,   | Morton,     | Sullivan,  |
| Clarke,   | Fields,   | Orchard,    | Thomas,    |
| Clay,     | Haynes,   | Ramp,       | Walker,    |
| Collins,  | Heather,  | Schoenlaub, | Whaley—23. |
| Costello, | Marshall, | Smith,      |            |

## NAYS—Senators,

|                            |          |          |           |
|----------------------------|----------|----------|-----------|
| Martin,                    | Rollins, | Rubey—3. |           |
| Absent with leave—Senators |          |          |           |
| Drabelle,                  | Jewell,  | Tandy,   | Zevely—6. |
| Farris,                    | Lee,     |          |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Morton,     | Smith,     |
| Bradley,  | Fields,   | Orchard,    | Stubbs,    |
| Clarke,   | Haynes,   | Ramp,       | Sullivan,  |
| Clay,     | Heather,  | Rollins,    | Thomas,    |
| Collins,  | Marshall, | Rubey,      | Walker,    |
| Costello, | Martin,   | Schoenlaub, | Whaley—26. |
| Davisson, | Matthews, |             |            |

## NAYS—None.

## Absent with leave—Senators

|           |         |        |           |
|-----------|---------|--------|-----------|
| Drabelle, | Jewell, | Tandy, | Zevely—6. |
| Farris,   | Lee,    |        |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which House bill No. 324 and emergency clause passed be reconsidered.

Senator Whaley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 81, entitled

An act creating a State Board of Health and repealing article 1, chapter III of the Revised Statutes of 1899,

Was ordered engrossed and printed.

Senator Davisson moved that when the Senate adjourn, it adjourn until 9 a. m. tomorrow.

Senator Farris moved as a substitute to that motion that when the Senate adjourn, it adjourn under the rules.

The latter motion prevailed.

Senator Dowell moved that the rules be suspended and that Senate bill No. 325 be taken up.

Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators—

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Davisson, | Martin,     | Smith,     |
| Bradley,  | Dowell,   | Matthews,   | Stubbs,    |
| Clarke,   | Farris,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Collins,  | Heather,  | Rubey,      | Walker,    |
| Costello, | Marshall, | Schoenlaub, | Whaley—24. |

NAYS—None.

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Drabelle, | Jewell, | Ramp,    | Tandy,    |
| Fields,   | Lee,    | Rollins, | Zevely—8. |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Davisson, | Marshall, | Schoenlaub, |
| Bradley,  | Dowell,   | Martin,   | Smith,      |
| Clarke,   | Farris,   | Matthews, | Stubbs,     |
| Clay,     | Fields,   | Morton,   | Sullivan,   |
| Collins,  | Haynes,   | Rollins,  | Thomas,     |
| Costello, | Heather,  | Rubey,    | Walker—24.  |

NAYS—None.

Absent with leave—Senators

|           |          |        |           |
|-----------|----------|--------|-----------|
| Drabelle, | Lee,     | Ramp,  | Whaley,   |
| Jewell,   | Orchard, | Tandy, | Zevely—8. |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Dowell moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, from the committee on Judiciary, submitted the two following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 237, entitled

An act to make "Charleton's" Abstracts of land titles in Pemiscot county for certified copies the entries therein evidence in all courts and places in this State,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 558, entitled

An act to amend section 1725, chapter 14, article 3, Revised Statutes of Missouri, 1899, relating to time of holding circuit court,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Haynes offered the following resolution:

Resolved, That the report of the Auditing Committee be adopted, and that the committee be directed to make proper entries in the books of the Auditor's and Treasurer's offices, showing the result of such settlement; and  
That the committee shall immediately cancel by stamping or punching all vouchers which shall have been examined and allowed. They shall also destroy, by burning, all warrants upon the Treasurer for which, in their settlement, they have given credit to the Treasurer.

Which was read and adopted.

Senator Clarke moved that the rules be suspended and that Senate bill No. 305 be taken up.

The motion prevailed.

Senate bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," of chapter 14 of Revised Statutes of Missouri, 1899,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Matthews,   | Smith,     |
| Bradley,  | Fields,   | Morton,     | Stubbs,    |
| Clarke,   | Haynes,   | Orchard,    | Sullivan,  |
| Clay,     | Heather,  | Rollins,    | Thomas,    |
| Collins,  | Marshall, | Rubey,      | Walker,    |
| Davisson, | Martin,   | Schoenlaub, | Whaley—25. |
| Dowell,   |           |             |            |

NAYS—None.

Absent with leave—Senators

|           |       |        |           |
|-----------|-------|--------|-----------|
| Drabelle, | Lee,  | Tandy, | Zevely—6. |
| Jewell,   | Ramp, |        |           |

Sick—Senators

|         |             |
|---------|-------------|
| Cooper, | Costello—2. |
|---------|-------------|

Title to the bill was read and agreed to.

Senator Clarke moved that the vote by which the bill was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 44, entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

On motion of Senator Martin, the Senate took a recess until 7:30 p. m.

## NIGHT SESSION.

The Senate was called to order at 7:30 by the President.

House bill No. 554, entitled

An act to amend section 9831 of chapter 154, article I, entitled "Public schools," Revised Statutes of Missouri, 1899,

Was taken up and read first time.

Committee substitute for House bills Nos. 220 and 487, entitled  
An act relating to the propagation of game animals, birds and fish,  
with an emergency clause,

Was taken up and read first time.

Committee substitute for House bill No. 69, entitled

An act to repeal section 2305 of article 8, chapter 15 of the Revised  
Statutes of Missouri, 1899, and to enact four new sections in lieu there-  
of, to be known as sections 2305, 2305a, 2305b, 2305c,

Was taken up and read first time. .

Substitute for committee substitute for House bill No. 331, entitled

An act to provide for the holding of primary elections and conven-  
tions in counties which now or may hereafter contain more than one  
hundred and seventy-five thousand and less than three hundred thousand  
inhabitants, regulating such primaries and conventions, and prescribing  
penalties for the violation of said act,

Was taken up and read first time.

House bill No. 629, entitled

An act to amend section 1423, chapter XII, article 11 of the Revised  
Statutes of the State of Missouri of 1899, in relation to private corpora-  
tions,

Was taken up and read first time.

House bill No. 527, entitled

An act to repeal sections 8392 and 8393, article 1, chapter 123 of the  
Revised Statutes of the State of Missouri, 1899, entitled "Legislature,"  
and to enact one new section in lieu thereof,

Was taken up and read first time.

House bill No. 548, entitled

An act to create a Board of Election Commissioners in cities now hav-  
ing or which hereafter may have three hundred thousand inhabitants;  
to provide for the appointment of the same; to define duties of such board;  
to provide for the registration of all voters in such cities; to govern  
elections therein, defining offenses and providing for punishment thereof;  
prescribing penalties for violating the provisions of this act; and to re-  
peal article 8, chapter 102 of the Revised Statutes of Missouri of 1899,  
entitled "Registration and elections in cities with three hundred thou-  
sand inhabitants or over,"

Was taken up and read first time.

The President announced the reception from the House of Repre-  
sentatives, House enrolled bill No. 403, entitled

An act to prevent the introduction and dissemination in Missouri  
of dangerous insect pests and fungoid or other contagious or infectious  
diseases dangerously injurious to fruit trees, vines, bushes or nursery  
stock;

That the same had passed both branches of the General Assembly;  
that all other business would be suspended, the bill read at length; that  
unless objection be made he would sign the same, to the end that it be-  
come a law, and directed the Secretary to read the bill. The bill was read  
at length by the Secretary, and, no objection being made, the presiding  
officer, in the presence of the Senate, in open session, and no other busi-  
ness intervening, affixed his signature thereto, and the bill was imme-  
diately returned to the House;

Also, House enrolled bill No. 173, entitled

An act to repeal section 8828, chapter 133, article 2 of the Revised Statutes of 1899 of the State of Missouri, relating to safety and inspection of mines, and to enact a new section in lieu thereof, relating to safety and inspection of mines;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled committee substitute for House bill No. 158, entitled

An act repealing sections 5537, 5538 and 5548 of the Revised Statutes of Missouri, 1899, relating to the city officers in cities of the second class, and enacting new sections in lieu thereof, and enacting new sections in lieu thereof,

That the same had passed both branches of the General Assembly; that all other business would be suspended and the substitute read at length; that unless objection be made, he would sign the same to the end that it become a law, and directed the Secretary to read the substitute at length. The committee substitute for House bill No. 158 was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 550, entitled

An act to amend article 14 of chapter 168 of the Revised Statutes of 1899, relating to roads, highways and bridges in counties having township organization, by adding thereto a new section, to be known as section 10355a;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, committee substitute for House enrolled bill No. 137, entitled

An act to regulate the practice of medicine, surgery and midwifery, and to prohibit treating the sick and afflicted without a license, and to provide penalties for the violation thereof;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The committee substitute for House bill No. 137 was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled joint and concurrent resolution No. 5,

Petitioning Congress to call convention proposing amendment to Constitution to elect U. S. Senators by direct vote of the people;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the resolution read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the the resolution. The resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the resolution was immediately returned to the House;

Also, House enrolled bill No. 338, entitled

An act to repeal section 1793 of article 5, chapter 14, Revised Statutes of Missouri for 1899, and enact a new section in lieu thereof, to be known as section 1793, relating to the duty of county courts to cause certain prisoners to be worked;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 302, entitled

An act to amend section 7808 by inserting in the fourth line thereof between the figure "3" and the word "school," the following words and figures, viz.: "State Hospital for Insane No. 4," "The Missouri Colony for the Feeble-Minded and Epileptic;" so that said section will read as follows;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 121, entitled

An act to amend section 2194 of the Revised Statutes of 1899 by inserting certain words;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 128, entitled

An act to amend section 2997, chapter 22 of the Revised Statutes of Missouri, 1899, entitled "Dramshops, Excise Commissioner and local option;"

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Senate enrolled bill No. 14, entitled

An act to amend section 2476, chapter 16, article 3 of the Revised Statutes of 1899, by inserting between the words "indictment" and "except," in the first line thereof, the words "or information," and by striking out the word "provision," in the 15th line of said section, and inserting in lieu thereof the words "the last mentioned provision,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and that the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled joint and concurrent resolution No. 8,

Submitting to the qualified voters of the State an amendment to section 11, article X of the Constitution of Missouri,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the resolution read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The resolution was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 44, entitled

An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled "Corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice," by adding thereto a new section, to be known as section 1024a,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and that the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 15, entitled

An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled "Jurisdiction of felonies and misdemeanors—information in courts of record," by striking out the word "misdemeanor," in the second line of said section, and inserting in lieu thereof the word "crime,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and that the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval;

Also, Senate enrolled bill No. 16, entitled

An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and that the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

Committee substitute for House bills Nos. 153 and 518, entitled

An act to repeal sections 9844, 9845 and 9847, article 1, chapter 154, Revised Statutes, 1899, entitled "Public schools," and to enact three new sections in lieu thereof, with an emergency clause;

Also, House bill No. 619, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri to enable cities of the 4th class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

In which the concurrence of the Senate is respectfully requested;  
Which were read.

House bill No. 619, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

Was taken up and read first time.

Committee substitute for House bills Nos. 153 and 518, entitled

An act to repeal sections 9844, 9845 and 9847 of article 1 of chapter

154 of the Revised Statutes of 1899, entitled "Public schools," and to enact new sections in lieu thereof, to be known as sections 9844, 9845 and 9847, with an emergency clause,

Was taken up and read first time.

On motion of Senator Tandy, the Senate adjourned until 10 a. m. tomorrow.

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FIFTY-FIRST DAY—Tuesday, March 12, 1901.

The Senate met pursuant to adjournment.

President Pro tem. Farris in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Lee offered the following resolution:

Whereas, This session is drawing to a close, and, whereas, no game protection measure has been passed by this body, and whereas, all committees now have as much work as they can attend to, and whereas, there are several game laws pending before the body; be it therefore,

Resolved, That the President is hereby instructed to immediately appoint a special committee of five members on fish and game.

Which was read and adopted.

Senator Ramp presented a petition from citizens of his district, asking for the passage of Senate bill No. 236 or House bill No. 504, and protesting against the passage of House bill No. 411, in relation to the dairy interests of the State:

Which was read and referred to the Committee on Agriculture, Roads, Highways, Bridges and Ferries.

Senators Smith and Tandy presented petitions from citizens and numerous labor organizations of their respective districts, asking for the submission of a constitutional amendment embodying the principles of direct legislation, known as the initiative and referendum;

Which was read and referred to the Committee on Constitutional Amendments, Federal Relations and Permanent Seat of Government.

Senator Whaley moved that 2,000 copies of the report of the Auditing Committee be printed.

The motion prevailed.

Senator Whaley offered the following resolution:

Resolved, That the Committee on Accounts be authorized and are hereby instructed to pay the expense of the Auditing Committee, including the pay of the clerk and janitor of said committee upon the proper certificate of the chairman of said committee, out of the funds appropriated to pay the contingent expense of this General Assembly.

Which was read and adopted.

Senator Clay, from the Committee on Labor, Mines and Manufactories, submitted the two following reports:

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred House bill No. 367, entitled

An act to repeal section 8791, chapter 133, article 1 of the Revised Statutes, 1899, relating to mines and mining, and enact a new section in lieu thereof,

Begs leave to report the same without recommendation;

Mr. President: Your Committee on Labor, Mines and Manufactories, to which was referred House bill No. 257, entitled

An act providing for semi-monthly payment of employes of manufactories,

Begs leave to report the same without recommendation;

Which were read.

Senator Tandy, from the Committee on Agriculture, Roads and Highways, submitted the following report:

Mr. President: Your Committee on Agriculture, Roads and Highways, to which was referred House bill No. 523, entitled

An act to repeal section 9547 of article three of chapter 151 of the Revised Statutes of Missouri of 1899 and to enact a new section in lieu thereof, to be known as section 9547,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Heather, from the Committee on Representative Apportionment and Redistricting, submitted the following report:

Mr. President: Your Committee on Representative Apportionment and Redistricting the State, to which was referred House bill No. 615, entitled

An act to divide the State into 16 Congressional districts,

Begs leave to report that it has examined the same and recommends that it do pass with the following amendments:

Which was read.

Amendment No. 1 to House bill No. 615:

Amend section three of printed House bill No. 615 by striking out the word "Mercer," in the 2nd line of said section three;

Read first and second times and agreed to.

Amendment No. 2 to House bill No. 615:

Amend section four of printed House bill No. 615 by striking out the word "Nodaway," in the 2nd and 3rd lines of said section four, and inserting in lieu thereof the word "Mercer;"

Read first and second times and agreed to.

Amendment No. 3 to House bill No. 615:

Amend section five of printed House bill No. 615 by inserting between the words "Holt" and "and," in the 2nd line of said section, the word "Nodaway;"

Read first and second times and agreed to.

Senate amend No. 4 to House bill No. 615:

Amend House bill No. 615, section 11, by striking out said section and inserting in lieu thereof a new section, to be known as section 11, to read as follows:

Section 11. The Tenth district shall be composed of the county of St. Louis, and all that portion of the city of St. Louis included in the following wards, and part of ward, to wit: The First, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Nineteenth, Twenty-fourth and Twenty-eighth wards, and precinct Eleven of the Twenty-seventh ward, as said wards, and precincts, are now constituted.

Read first and second times and agreed to.

Senate amendment No. 5 to House bill No. 615:

Amend House bill No. 615, section 12, by striking out said section and inserting in lieu thereof a new section, to be known as section 12, to read as follows:

Section 12. The Eleventh district shall be composed of all that portion of the city of St. Louis included in the following wards, and part of ward, to wit: The Second, Third, Sixteenth, Seventeenth, Eighteenth, Twentieth, Twenty-first and Twenty-sixth wards, and precincts One, Two, Three, Four, Five, Six, Seven, Eight, Nine and Ten of the Twenty-seventh ward, as said wards and precincts, are now constituted.

Read first and second times and agreed to.

The rules were suspended.

House bill No. 615, as amended, entitled

An act to divide the State into 16 Congressional districts,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Stubbs,    |
| Bradley,  | Farris,   | Martin,     | Tandy,     |
| Clay,     | Fields,   | Morton,     | Thomas,    |
| Collins,  | Haynes,   | Rubey,      | Walker,    |
| Costello, | Heather,  | Schoenlaub, | Whaley—22. |
| Dowell,   | Lee,      |             |            |

NAYS—Senators

|           |          |        |             |
|-----------|----------|--------|-------------|
| Clarke,   | Ramp,    | Smith, | Sullivan—6. |
| Matthews, | Rollins, |        |             |

Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Davisson, | Jewell, | Orchard, | Zevely—4. |
|-----------|---------|----------|-----------|

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Heather moved that the vote by which the bill was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton, from the Committee on Louisiana Purchase Centennial, submitted the following report:

Mr. President: Your Committee on Louisiana Purchase Centennial to which was referred House bill No. 634, entitled

An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act of Congress of the United States, to be held in the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana Territory by the United States, and for an appropriation to pay the costs and expenses of the same, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass, with accompanying amendment;

Which was read.

Senate amendment No. 1 to House bill No. 634:

Sec. 10. Whereas, It is necessary that the Board of Commissioners proceed at once to select suitable grounds and space for the Missouri exhibit at the Louisiana Purchase Centennial Exposition to be held in the city of St. Louis in the year 1903; therefore, an emergency exists within the meaning of the Constitution, and this act shall take effect and be in force from the date of its passage,

Was read first and second times and agreed to.

The rules were suspended.

House bill No. 634, as amended, entitled

An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act of Congress of the United States, to be held at the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana Territory by the United States, and for an appropriation to pay the cost and expenses of the same, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Matthews,   | Stubbs,    |
| Bradley,  | Fields,   | Morton,     | Sullivan,  |
| Clarke,   | Heather,  | Ramp,       | Tandy,     |
| Clay,     | Jewell,   | Rollins,    | Thomas,    |
| Collins,  | Lee,      | Rubey,      | Walker,    |
| Costello, | Marshall, | Schoenlaub, | Whaley—27. |
| Dowell,   | Martin,   | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Davisson, | Haynes, | Orchard, | Zevely—5. |
| Drabelle, |         |          |           |

## Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Heather,  | Ramp,       | Tandy,     |
| Collins,  | Jewell,   | Rollins,    | Thomas,    |
| Costello, | Lee,      | Rubey,      | Walker,    |
| Dowell,   | Marshall, | Schoenlaub, | Whaley—28. |

## NAYS—None.

## Absent with leave—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Davisson, | Haynes, | Orchard, | Zevely—4. |
|-----------|---------|----------|-----------|

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill, together with the emergency clause, passed, be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Whaley, from the Committee on Constitutional Amendments, and Federal Relations, submitted the following report:

Mr. President: Your Committee on Constitutional Amendments and Federal Relations, to which was referred House joint and concurrent resolution No. 1

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, providing for the reservation to the people the right to propose measures for enactment, and to require enactments of the General Assembly to be submitted to a vote of the people for ratification,

Begs leave to report it without recommendation;

Which was read.

A message from the Governor was received.

[See Appendix.]

Senator Whaley, from the Committee on Constitutional Amendments and Federal Relations, submitted the four following reports:

Mr. President: Your Committee on Constitutional Amendments and Federal Relations, to which was referred Senate joint and concurrent resolution No. 14

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning State Senators and the formation of Senatorial districts in counties which are entitled to more than one Senator,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Constitutional Amendments and Federal Relations, to which was referred Senate joint and concurrent resolution No. 7

Submitting to the qualified voters of Missouri an amendment to the Constitution, concerning revenue and taxation,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Constitutional Amendments and Federal Relations, to which was referred Senate joint and concurrent resolution No. 3

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, prohibiting the General Assembly from enacting any laws authorizing the formation of private corporations or authorizing private corporations organized in any other State to do business in this State as a corporation, and repealing section 1 of article 12 of the Constitution of the State of Missouri and enacting a new section in lieu thereof, to be known as section 1, article 12,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Constitutional Amendments and Federal Relations, to which was referred Senate joint and concurrent resolution No. 11

Submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the right of local self-government,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, to which was referred House joint and concurrent resolution No. 24

Relating to government land in Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Orchard moved that the vote by which resolution asking for the appointment of special committee of five on game and fish law was adopted be reconsidered.

The motion prevailed.

The resolution was laid over informally.

Senator Marshall, from the Committee on Township Organization, County Boundaries, Swamp Lands, Ditches and Drains, submitted the following report:

Mr. President: Your Committee on Township Organization, Swamp Lands, etc., to which was referred House bill No. 287, entitled

An act relating to county clerks retaining certain fees arising from official work performed under the ditching and drainage law, in addition to fees allowed for other work under the Statutes of 1899,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Martin, from the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 284, entitled

An act to collect a corporate franchise tax from all corporations, joint stock companies or associations; to assess and tax the franchises owned, used and enjoyed by corporations and persons; and to amend the general revenue law,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

On motion of Senator Whaley, Senate bill No. 284 was indefinitely postponed.

Senator Martin, from the Committee on Ways and Means, submitted the two following reports:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 285, entitled

An act to collect a corporate franchise tax from all corporations, joint stock companies or associations; to assess and tax the franchises owned, used and enjoyed by corporations and persons; and to amend the general revenue law by providing for the assessment and taxation of certain kinds of property by the State Board of Equalization,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 331, entitled

An act to authorize an imposition of a franchise tax on corporations doing business in Missouri,

Begs leave to report that it has examined the same and returns without recommendations;

Which were read.

On motion of Senator Whaley, Senate bill No. 285 was indefinitely postponed.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 12, 1901. }

To the Senate:

Matters of moment affecting every tax-payer and all of our State institutions, may require your attention within the next few days. I, therefore, respectfully request that the General Assembly do not at this time fix any date for final adjournment.

Respectfully,  
A. M. DOCKERY,  
Governor.

Which was read.

Senator Heather, from the Committee on Reapportionment, submitted the following report:

Mr. President: Your Committee on Reapportionment, to which was referred Senate bill No. 336, entitled

An act to repeal sections 6616 and 6617 of the Revised Statutes of Missouri, 1899, relating to Congressional and electoral districts and to enact a new section in lieu thereof, to be known as section 6616,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The rules were suspended and Senate bill No. 336, entitled

An act to repeal sections 6616 and 6617 of chapter 95 of the Revised Statutes of Missouri, 1899, relating to Congressional and electoral dis-

tricts, and to enact a new section in lieu thereof, to be known as section 6616,

Was taken up, read second time, and ordered engrossed and printed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills to which was referred Senate joint and concurrent resolution No. 10

Submitting to the qualified voters of the State an amendment to section 12, article 10 of the Constitution of Missouri;

Also, Senate bill No. 37, entitled

An act to create an additional division in and for the circuit court of the Sixteenth judicial circuit in Jackson county, for the appointment and election of an additional judge of said circuit court, for the numbering, arranging and apportionment of cases filed in said court, and to empower the judges of said court to make rules of court for the numbering, distribution and transfer of cases therein among the divisions of said circuit court and to make rules for other purposes; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same, and to provide for the transfer of cases between the court at Independence and Kansas City, with an emergency clause,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Committee substitute for House bill No. 69, entitled

An act to repeal section 2305 of article 8, chapter 15 of the Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 2305, 2305a, 2305b, 2305c,

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

Committee substitute for House bills Nos. 153 and 518, entitled

An act to repeal sections 9844, 9845 and 9847 of article 1 of chapter 154 of the Revised Statutes of 1899, entitled "Public schools," and to enact new sections in lieu thereof, to be known as sections 9844, 9845 and 9847, with an emergency clause,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Committee substitute for House bills Nos. 220 and 487, entitled

An act relating to the propagation of game animals, birds and fish, with an emergency clause,

Was taken up, read second time, and referred to the Committee on Criminal Jurisprudence.

House bill No. 236, entitled

An act to encourage the establishment of school libraries and to secure for them good books at least cost,

Was taken up, read second time, and referred to the Committee on Education, Text-Books and Public Schools.

House bill No. 312, entitled

An appropriation to reimburse John G. Evans of Boone county, Missouri,

Was taken up, read second time, and referred to the Committee on Appropriations.

Substitute for committee substitute for House bill No. 331, entitled

An act to provide for the holding of primary elections and conventions in counties which now or may hereafter contain more than one hundred and seventy-five thousand and less than three hundred thousand inhabitants, regulating such primaries and conventions, and prescribing penalties for the violation of said act,

Was taken up, read second time, and referred to committee on Privileges and Elections.

House bill No. 355, entitled

An act to enact new section of article 1, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with emergency clause,

Was taken up, read second time, and referred to Committee on Judiciary

House bill No. 399, entitled

An act to amend section 3253 of the Revised Statutes of the State of Missouri for 1899, entitled "Fees of constables,"

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees, Salaries and Criminal Costs.

House bill No. 400, entitled

An act to amend section 3261 of the Revised Statutes of the State of Missouri for 1899, relating to "Fees of justices of the peace,"

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees, Salaries and Criminal Costs.

House bill No. 512, entitled

An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of 1899, relating to the collector of the revenue,

Was taken up, read second time, and referred to Committee on Ways and Means.

House bill No. 527, entitled

An act to repeal sections 8392 and 8393, article 1, chapter 123 of the Revised Statutes of the State of Missouri, 1899, entitled "Legislature," and to enact one new section in lieu thereof,

Was taken up, read second time, and referred to Committee on Retrenchment and Reform, Fees, Salaries and Criminal Costs.

House bill No. 549, entitled

An act to prohibit the buying, receiving or taking of any personal property, goods, wares or merchandise of any value by any pawnbroker, junk dealer, dealer in second-hand goods or merchant from any minor without the consent of such minor's parents or guardians, had in writing, and to provide a penalty for the violation of this act,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 544, entitled

An act to amend chapter 151, article 7 of the Revised Statutes of the State of Missouri, relating to road and street crossings to be constructed and maintained, by adding a new section thereto, to be known as section 9554a,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 608, entitled

An act to provide for a State license tax on distilled liquors, including

whisky, brandy, rum, gin and distilled spirits of all kinds, wines and all kinds of vinous liquors; to create the office of Special License Commissioner, and to provide for the appointment thereof by the Governor,

Was taken up, read second time and referred to Committee on Criminal Jurisprudence.

House bill No. 611, entitled

An act to appropriate the moneys accruing into the "State Fair fund" to the Board of Directors of the State Fair, to be expended in the establishment and maintenance of the Missouri State Fair,"

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 619, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a,

Was taken up, read second time, and referred to Committee on Municipal Corporations.

House bill No. 629, entitled

An act to amend section 1423, chapter 12, article 11 of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations,

Was taken up, read second time, and referred to Committee on Private Corporations.

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the following report:

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred House bill No. 358, entitled

An act to repeal section 4149 of chapter 44 of the Revised Statutes of Missouri of 1899, entitled "Landlords and tenants," and relating to changes of venue under said chapter and to enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senate bill No. 306, entitled

An act to provide for the payment of quarantine and pest camp expenses in cases of epidemics,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Farris,   | Morton,     | Sullivan,  |
| Bradley, | Fields,   | Orchard,    | Tandy,     |
| Clarke,  | Haynes,   | Ramp,       | Thomas,    |
| Clay,    | Heather,  | Rubey,      | Walker,    |
| Collins, | Jewell,   | Schoenlaub, | Whaley—22. |
| Dowell,  | Matthews, |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |          |           |
|-----------|-----------|----------|-----------|
| Costello, | Lee,      | Rollins, | Stubbs,   |
| Davison,  | Marshall, | Smith,   | Zevly—10. |
| Drabelle, | Martin,   |          |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Ramp moved that the vote by which Senate bill No. 306 passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 324 was taken up and laid over informally.

Senate joint and concurrent resolution No. 13 was taken up, and on motion of Senator Rubey, was indefinitely postponed.

Senate bill No. 63, entitled

An act to regulate the practice of veterinary medicine, veterinary surgery, or any branch thereof, including veterinary dentistry, in the State of Missouri, and prescribing penalty for the violation of the same,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Matthews, | Schoenlaub, |
| Bradley,  | Farris,   | Morton,   | Smith,      |
| Clarke,   | Haynes,   | Orchard,  | Tandy,      |
| Clay,     | Heather,  | Ramp,     | Thomas,     |
| Collins,  | Jewell,   | Rollins,  | Walker,     |
| Davisson, | Martin,   | Rubey,    | Whaley—25.  |
| Dowell,   |           |           |             |

NAYS—Senators

Fields, Sullivan—2.

Absent with leave—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Costello, | Marshall, | Stubbs, | Zevely—5. |
| Lee,      |           |         |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Dowell moved that the vote by which Senate bill No. 63 passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 126 was taken up and laid over informally.

Senate bill No. 209, entitled

An act entitled "An act to amend section 973, article I, chapter 12, Revised Statutes of Missouri of 1899, entitled 'Corporations—private.'"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Biggs,    | Dowell,   | Morton,  | Schoenlaub, |
| Clarke,   | Drabelle, | Orchard, | Smith,      |
| Collins,  | Farris,   | Ramp,    | Tandy,      |
| Costello, | Jewell,   | Rollins, | Thomas,     |
| Davisson, | Matthews, | Rubey,   | Walker—20.  |

NAYS—Senators

|          |          |         |             |
|----------|----------|---------|-------------|
| Bradley, | Fields,  | Martin, | Sullivan—7. |
| Clay,    | Heather, | Stubbs, |             |

Absent with leave—Senators

|         |           |         |           |
|---------|-----------|---------|-----------|
| Haynes, | Marshall, | Whaley, | Zevely—5. |
| Lee,    |           |         |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Orchard moved that the vote by which the bill was passed be reconsidered.

Senator Smith moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 211, entitled

An act authorizing the appointment of quartermaster sergeants of the National Guard of Missouri,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Martin,

Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith.

Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—27.

## NAYS—None.

## Absent with leave—Senators

Costello,  
Lee,

Marshall,

Matthews,

Zevely—5.

## Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Collins,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Martin,

Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley—28.

## NAYS—None.

## Absent with leave—Senators

Costello,

Lee,

Marshall,

Zevely—4.

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Jewell moved that the vote by which the bill, together with the emergency clause, passed be reconsidered.

Senator Orchard moved to lay that motion on the table.

The latter motion prevailed.

The following nine communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House committee substitute for House bill No. 5, entitled

An act authorizing the appointment of a commission to ascertain and determine the positions of Missouri troops in the siege and defense of Vicksburg and to make an appropriation to pay the necessary traveling expense of said commission;

Also, House bill No. 560, entitled

An act to amend sections 4867 and 4873 of article 1, chapter 72, Revised Statutes of Missouri, entitled "Asylums and relating to officers, patients, etc.;

Also, House bill No. 439, entitled

An act fixing the time for holding court in the Thirteenth judicial circuit;

Also, House bill No. 288, entitled

An act amending section 6469 of Revised Statutes of 1899, relating to directors of public libraries;

Also, House bill No. 440, entitled

An act to provide protection to mechanics and other persons for labor performed and material furnished for the repair of personal property and to secure the same by lien;

Also, House bill No. 622, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri;

Also, House bill No. 249, entitled

An act to appropriate the county foreign insurance tax fund, for the years 1899 and 1900, and for the years 1901 and 1902, and distribute the same as provided in section 8047, chapter 119, article 8, Revised Statutes, with title amended, by striking out the words "and for the years 1901 and 1902;"

Also, House bill No. 265, entitled

An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations;

Also, House bill No. 557, entitled

An act to amend chapter 22, article 1 of the Revised Statutes of 1899, by adding a new section thereto, to be known as section 3018a, relating to dramshop licenses;

Also, House bill No. 531, entitled

An act to amend section 1, article 3, chapter 15 of the Revised Statutes of Missouri, 1899, relating to offenses against private and public property, and adding a new section thereto;

In which the concurrence of the Senate is respectfully requested;  
Which were read.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred House bill No. 594, entitled

An act to repeal sections 7224, 7226, 7229, 7242 and 7267 of article 8, chapter 102, Revised Statutes of Missouri of 1899, relating to registrations and elections in cities with three hundred thousand inhabitants or over, and to enact five new sections in lieu thereof, to be known as sections 7224, 7226, 7229, 7242 and 7267, with emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass, with the following amendment;

Which was read.

Senate amendment No. 1 to House bill No. 594:

Amend House bill No. 594 by adding to section 7229 after the word "clerks," in line 68 of the printed bill, the following words: "If any person holding the position of judge or clerk of election is found not to possess all qualifications prescribed in this section, or if any such judge or clerk shall be guilty of neglecting the duties of the peace, or be guilty of any official misconduct, then such person may be removed from office by the commissioners or commissioner having authority to appoint his successor, and any such vacancy shall be immediately filled by the appointment of a suitable person to such place, who shall be selected and appointed as in this section provided;"

Read first and second times and agreed to.

Senate bill No. 289 was taken up and laid over informally.

Senate bill No. 296, entitled

An act to amend section 5060, chapter 80 of the Revised Statutes of Missouri for 1899, entitled "Board of Charities,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|   |  |   |   |
|---|--|---|---|
| Biggs,<br>Bradley,<br>Clarke,<br>Clay,<br>Collins,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Jewell,<br>Martin, | Orchard,<br>Rollins,<br>Rubey,<br>Schoenlaub,<br>Smith, | Stubbs,<br>Tandy,<br>Thomas,<br>Walker,<br>Whaley—22. |
|---|--|---|---|

## NAYS—Senators,

|          |           |         |
|----------|-----------|---------|
| Heather, | Marshall, | Ramp—3. |
|----------|-----------|---------|

## Absent with leave—Senators

|                        |                   |                      |           |
|------------------------|-------------------|----------------------|-----------|
| Costello,<br>Davisson, | Lee,<br>Matthews, | Morton,<br>Sullivan, | Zevely—7. |
|------------------------|-------------------|----------------------|-----------|

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 308 was taken up and laid over informally.

Senate bill No. 314, entitled

An act to provide for the reimbursement of Jasper county out of the State revenue and State interest funds for moneys heretofore paid into the State treasury belonging to said county,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|   |  |   |   |
|---|--|---|---|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Haynes,<br>Jewell,<br>Matthews,<br>Morton, | Orchard,<br>Ramp,<br>Rollins,<br>Schoenlaub,<br>Smith,<br>Stubbs, | Sullivan,<br>Tandy,<br>Thomas,<br>Walker,<br>Whaley—23. |
|---|--|---|---|

## NAYS—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Costello, | Fields, | Heather, | Martin—4. |
|-----------|---------|----------|-----------|

## Absent with leave—Senators

|                 |           |        |           |
|-----------------|-----------|--------|-----------|
| Clarke,<br>Lee, | Marshall, | Rubey, | Zevely—5. |
|-----------------|-----------|--------|-----------|

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Thomas moved that the vote by which the bill was passed be reconsidered.

Senator Tandy moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 327 was taken up and laid over informally.

Senate bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the "Legislature,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|  |  |   |  |
|--|--|---|--|
| Biggs,<br>Bradley,<br>Clay,<br>Collins,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Jewell,<br>Lee,<br>Marshall,<br>Martin, | Morton,<br>Orchard,<br>Ramp,<br>Rubey,<br>Schoenlaub,<br>Smith, | Stubbs,<br>Sullivan,<br>Tandy,<br>Thomas,<br>Walker,<br>Whaley—26. |
|--|--|---|--|

## NAY—Senator Rollins—1.

## Absent with leave—Senators

|                    |          |           |           |
|--------------------|----------|-----------|-----------|
| Clarke,<br>Haynes, | Heather, | Matthews, | Zevely—5. |
|--------------------|----------|-----------|-----------|

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Matthews,   | Stubbs,    |
| Bradley,  | Farris,   | Morton,     | Sullivan,  |
| Clarke,   | Fields,   | Ramp,       | Tandy,     |
| Clay,     | Jewell,   | Rollins,    | Thomas,    |
| Collins,  | Lee,      | Schoenlaub, | Walker,    |
| Costello, | Marshall, | Smith,      | Whaley—25. |
| Dowell,   |           |             |            |

NAYS—None.

Absent with leave—Senators

|           |          |          |           |
|-----------|----------|----------|-----------|
| Davisson, | Heather, | Orchard, | Zevely—7. |
| Haynes,   | Martin,  | Rubey,   |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which Senate bill No. 333 passed be reconsidered.

Senator Biggs moved to lay that motion on the table.

The latter motion prevailed.

Senator Jewell called up Senate bill No. 229, and moved that it be read third time.

Motion prevailed.

Senate bill No. 229, entitled

An act to provide against the use of poisonous or other deleterious ingredients in the manufacture of candy, and to regulate the manufacture and sale of adulterated candies, and to repeal section 2279 of the Revised Statutes of 1899, and an act amendatory thereof, approved March 20, 1897,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Morton,     | Sullivan,  |
| Clarke,   | Fields,   | Orchard,    | Tandy,     |
| Clay,     | Jewell,   | Ramp,       | Thomas,    |
| Collins,  | Lee,      | Rollins,    | Walker,    |
| Davisson, | Martin,   | Rubey,      | Whaley—23. |
| Dowell,   | Matthews, | Schoenlaub, |            |

NAYS—Senators

|           |         |             |
|-----------|---------|-------------|
| Drabelle, | Haynes, | Marshall—3. |
|-----------|---------|-------------|

Absent with leave—Senators

|           |          |         |           |
|-----------|----------|---------|-----------|
| Bradley,  | Heather, | Stubbs, | Zevely—6. |
| Costello, | Smith,   |         |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Jewell moved to reconsider the vote by which the bill passed.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, from the Committee on Judiciary, submitted the five following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 111, entitled

An act to amend chapter 83 of the Revised Statutes of Missouri, 1899, by striking out section 5157, and enacting three new sections in lieu thereof, to be known as sections 5157, 5157a, 5157b,

Begs leave to report that it has examined the same and recommends that it do not pass, for reason Senate bill has been passed by both houses;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 277, entitled

An act to repeal the article beginning on page 2585, and ending on page 2589, Revised Statutes of Missouri, 1899,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 150, entitled

An act to amend section 1187, chapter 12, article 3, Revised Statutes of State of Missouri, relating to powers of corporations,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 422, entitled

An act to amend section 1722 of article 3, chapter 14, Revised Statutes of Missouri, 1899, entitled "Courts of record, and circuit courts,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 308, entitled

An act to repeal sections 3331, 3332, 3333 and 3336 of chapter 39, article 1, Revised Statutes of Missouri, 1899, entitled "Forcible entry and detainer," and to enact three new sections in lieu thereof,

Begs leave to report that it has examined the same, and recommends that it do pass, with accompanying amendment No. 1:

Which were read.

Senate amendment No. 1 to House bill No. 308:

Amend House bill 308 by striking out the word "and," between the words "plaintiff" and "co-defendant," in line 21, printed bill, and insert in lieu thereof the word "or;"

Read first and second times and agreed to.

Senator Haynes, from the Committee on Judiciary, submitted the four following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 12, entitled

An act to repeal section 4656, chapter 64, Revised Statutes of 1899, and to enact in lieu thereof a new section,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 469, entitled

An act to repeal section 10105, article 1, chapter 162, Revised Statutes of Missouri, 1899, entitled "Stenographers in cities and counties having three hundred and fifty thousand or more inhabitants and to enact a new section in lieu thereof, to be known as section 10105,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 126, entitled

An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitation of actions,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 317, entitled

An act to amend section 10042 of chapter 158, Revised Statutes of Missouri, 1899, entitled "Sheriffs and their deputies,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Orchard moved that the rules be suspended and that House bill No. 287 be taken up.

The motion prevailed.

House bill No. 287, entitled

An act relating to county clerks retaining certain fees arising from official work performed under the ditching and draining law, in addition to fees allowed for other work under the Statutes of 1899,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Orchard,    | Stubbs,    |
| Bradley,  | Fields,   | Ramp,       | Sullivan,  |
| Clay,     | Haynes,   | Rollins,    | Tandy,     |
| Collins,  | Heather,  | Rubey,      | Thomas,    |
| Costello, | Jewell,   | Schoenlaub, | Walker,    |
| Davisson, | Marshall, | Smith,      | Whaley—26. |
| Dowell,   | Morton,   |             |            |

NAYS—None.

Absent with leave—Senators

|         |         |           |           |
|---------|---------|-----------|-----------|
| Clarke, | Lee,    | Matthews, | Zevely—6. |
| Farris, | Martin, |           |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Orchard moved that the vote by which the bill was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle moved that the rules be suspended and that House bill No. 358 be taken up.

House bill No. 358, entitled

An act to repeal section 4149 of chapter 44 of the Revised Statutes of Missouri of 1899, entitled "Landlords and tenants," and relating to changes of venue under said chapter, and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Stubbs,    |
| Bradley,  | Drabelle, | Orchard,    | Sullivan,  |
| Clarke,   | Farris,   | Rollins,    | Tandy,     |
| Clay,     | Fields,   | Rubey,      | Thomas,    |
| Collins,  | Haynes,   | Schoenlaub, | Walker,    |
| Costello, | Heather,  | Smith,      | Whaley—25. |
| Davisson, |           |             |            |

NAYS—None.

Absent with leave—Senators

Jewell,  
Lee,

Marshall,  
Matthews,

Morton,  
Ramp,

Zevely—7.

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Drabelle moved that the vote by which the bill was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 75 was taken up, and on motion of Senator Drabelle, was indefinitely postponed.

Senate bill No. 106, entitled

An act entitled "An act to authorize the various circuit courts of the State of Missouri to appoint a committee to investigate accounts of public officers handling funds,"

Was taken up and ordered engrossed and printed.

On motion of Senator Dowell, the Senate took a recess until 2 p. m.

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### AFTERNOON SESSION.

The hour of recess having expired, President Pro tem. Farris called the Senate to order.

Senate enrolled bill No. 37, entitled

An act to create an additional civil division in and for the circuit court of the Sixteenth judicial circuit at Kansas City, Jackson county; for the appointment and election of an additional judge of said circuit court; to increase the salaries of the judges of said court; to empower the judges of said circuit court to make rules of court for the numbering, distribution and transfer of civil cases therein among the divisions of said circuit court; make rules for other purposes; to abolish the criminal court of said county and to vest the jurisdiction thereof in the Jackson county circuit court; to transfer the judge of the criminal court to the office of circuit judge; to abolish the offices of county marshal and clerk of the criminal court of said county; to provide for the holding of court in any division of said court when the judge thereof shall be unable to hold the same and to provide for the transfer of civil cases between the court at Independence and Kansas City,

Was taken up, and the President pro tem, announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled joint and concurrent resolution No. 10,  
Submitting to the qualified voters of the State an amendment to section 12, article X of the Constitution of Missouri,

Was taken up, and the President pro tem. announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the resolution read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the resolution. The resolution was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The resolution was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate bill No. 118 was taken up and laid over informally.

Senate bill No. 288, entitled

An act repealing section 809 of the Revised Statutes of 1899 of the State of Missouri, and enacting a new section in lieu thereof,

Was taken up and ordered engrossed and printed.

Senate bill No. 301 was taken up, and on motion of Senator Collins, indefinitely postponed.

Senator Rollins offered the following resolution:

Whereas, Senator John P. Collins has just received news of the death of his mother, who has for nearly forty years been a resident of St. Louis, therefore

Resolved, That Senator Collins be granted a leave of absence to attend her funeral and that the Senate hereby extend to Senator Collins our tenderest sympathy in this, the greatest loss possible for man to sustain.

Which was read and adopted.

Senate bill No. 311 was taken up, and on motion of Senator Zevely, was indefinitely postponed.

Senate bill No. 319 was taken up and laid over informally.

House joint and concurrent resolution No. 13 was taken up and laid over informally.

House bill No. 109 was taken up and laid over informally.

House bill No. 182 was taken up and laid over informally.

The six following communications were received from the House of Representatives, through its Chief Clerk, Hr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 534, entitled

An act establishing in the University of the State of Missouri a chair of dairy husbandry; authorizing and directing the Board of Curators of the University to appoint a professor of dairy husbandry; designating the duties of the professor of dairy husbandry; appropriating money therefor;

Also, House bill No. 282, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words;

Also, House bill No. 514, entitled

An act to amend article 18 of chapter 12, Revised Statutes of Mis-

souri, 1899, regulating charges of express companies by adding to said article 18 a new section, to be known as section 1522a, regulating the method of computing distances of express matter carried;

Also, House bill No. 416, entitled

An act to amend article 1, chapter 47 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 4227a, relating to mechanic's lien;

Also, House bill No. 285, entitled

An act giving the heirs legal representatives and persons dependent for support upon any one whose death results from carelessness or negligence of any other person or corporation;

Also, House bill No. 458, entitled

An act to provide for the taxation of telephone companies;

In which the concurrence of the Senate is respectfully requested;  
Which were read.

The President announced the reception from the House of Representatives, House enrolled bill No. 561, entitled

An act to redistrict the State into judicial circuits, and to fix the terms of courts therein;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

House bill No. 200, entitled

An act to amend section 1704 of article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Farris,   | Martin,   | Stubbs,    |
| Bradley,  | Fields,   | Matthews, | Sullivan,  |
| Clarke,   | Haynes,   | Orchard,  | Tandy,     |
| Clay,     | Heather,  | Ramp,     | Thomas,    |
| Costello, | Jewell,   | Rollins,  | Whaley,    |
| Davison,  | Lee,      | Smith,    | Zevely—26. |
| Dowell,   | Marshall, |           |            |

NAYS—None.

Absent with leave—Senators

|           |         |             |           |
|-----------|---------|-------------|-----------|
| Collins,  | Morton, | Schoenlaub, | Walker—6. |
| Drabelle, | Rubey,  |             |           |

Sick—Senator Cooper—1.

The emergency clause was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Farris,   | Martin,   | Sullivan,  |
| Bradley,  | Fields,   | Matthews, | Tandy,     |
| Clarke,   | Haynes,   | Orchard,  | Thomas,    |
| Clay,     | Heather,  | Ramp,     | Walker,    |
| Costello, | Jewell,   | Rollins,  | Whaley,    |
| Davison,  | Lee,      | Smith,    | Zevely—27. |
| Dowell,   | Marshall, | Stubbs,   |            |

NAYS—None.

Absent with leave—Senators

|           |         |        |               |
|-----------|---------|--------|---------------|
| Collins,  | Morton, | Rubey, | Schoenlaub—5. |
| Drabelle, |         |        |               |

Sick—Senator Cooper—1

The title to the bill was read and agreed to.

Senator Marshall moved that the vote by which the bill, together with the emergency clause was passed, be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children, with an emergency clause,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

House bill No. 197, entitled

An act providing for the appointment of park commissioners in cities of the second class,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Fields,   | Matthews, | Sullivan,  |
| Clarke,   | Haynes,   | Orchard,  | Tandy,     |
| Clay,     | Heather,  | Ramp,     | Thomas,    |
| Costello, | Jewell,   | Rollins,  | Walker,    |
| Davison,  | Lee,      | Smith,    | Whaley,    |
| Dowell,   | Marshall, | Stubbs,   | Zevcly—26. |
| Farris,   | Martin,   |           |            |

NAYS—None.

Absent with leave—Senators

|          |           |        |               |
|----------|-----------|--------|---------------|
| Bradley, | Drabelle, | Rubey, | Schoenlaub—6. |
| Collins, | Morton,   |        |               |

Sick—Senator Cooper—1.

The title of the bill was read and agreed to.

Senator Haynes moved to reconsider the vote by which the bill passed.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

Senator Ramp called up House amendments to Senate bill No. 102, and moved that Senate concur.

Amendment No. 1:

Amend section 1 of Senate bill No. 102 by inserting the words "or criminal court" after the word "record," and before the word "so," in 4th line of printed bill;

Amendment No. 2:

Amend Senate bill No. 102, in line 43 of printed bill, by inserting the words "or criminal court" between the words "record" and "and;"

Amendment No. 3:

Sec. 2. There being no law by which sheriffs of this State can be allowed fees for attending criminal courts in this State; therefore, an emergency exists within the meaning of the Constitution of this State; therefore, this act shall take effect and be in force from and after its passage.

Amendment No. 4:

Amend title of Senate bill No. 102 by adding the words "with an emergency clause;"

Amendment No. 1, 2, 3 and 4 were concurred in by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Marshall, | Stubbs,    |
| Bradley,  | Farris,   | Martin,   | Sullivan,  |
| Clarke,   | Fields,   | Matthews, | Tandy,     |
| Clay,     | Haynes,   | Orchard,* | Thomas,    |
| Costello, | Heather,  | Ramp,     | Walker,    |
| Davison,  | Jewell,   | Rollins,  | Whaley,    |
| Dowell,   | Lee,      | Smith,    | Zevcly—23. |

## NAYS—None.

## Absent with leave—Senators

|          |         |        |               |
|----------|---------|--------|---------------|
| Collins, | Morton, | Rubey, | Schoenlaub—4. |
|----------|---------|--------|---------------|

## Sick—Senator Cooper—1.

Senate bill No. 102, as amended, entitled

An act to amend section 3245 of article I of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled "Fees,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Farris,   | Martin,   | Stubbs,    |
| Bradley,  | Fields,   | Matthews, | Sullivan,  |
| Clarke,   | Haynes,   | Orchard,  | Tandy,     |
| Clay,     | Heather,  | Ramp,     | Thomas,    |
| Costello, | Jewell,   | Rollins,  | Walker,    |
| Davison,  | Lee,      | Rubey,    | Whaley,    |
| Dowell,   | Marshall, | Smith,    | Zevcly—23. |
| Drabelle, |           |           |            |

## NAYS—None.

## Absent with leave—Senators

|          |         |               |
|----------|---------|---------------|
| Collins, | Morton, | Schoenlaub—3. |
|----------|---------|---------------|

## Sick—Senator Cooper—1.

The emergency clause was adopted by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Marshall, | Stubbs,    |
| Bradley,  | Farris,   | Martin,   | Sullivan,  |
| Clarke,   | Fields,   | Matthews, | Tandy,     |
| Clay,     | Haynes,   | Morton,   | Thomas,    |
| Costello, | Heather,  | Ramp,     | Walker,    |
| Davison,  | Jewell,   | Rollins,  | Walker,    |
| Dowell,   | Lee,      | Smith,    | Zevcly—23. |

## NAYS—None.

## Absent with leave—Senators

|          |          |        |               |
|----------|----------|--------|---------------|
| Collins, | Orchard, | Rubey, | Schoenlaub—4. |
|----------|----------|--------|---------------|

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Ramp moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Whaley moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 215, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Farris,   | Martin,   | Stubbs,    |
| Bradley,  | Fields,   | Matthews, | Sullivan,  |
| Clarke,   | Haynes,   | Orchard,  | Tandy,     |
| Clay,     | Heather,  | Ramp,     | Thomas,    |
| Costello, | Jewell,   | Rollins,  | Walker,    |
| Davison,  | Lee,      | Rubey,    | Whaley,    |
| Dowell,   | Marshall, | Smith,    | Zevcly—29. |
| Drabelle, |           |           |            |

## NAYS—None.

## Absent with leave—Senators

|          |         |               |
|----------|---------|---------------|
| Collins, | Morton, | Schoenlaub—3. |
|----------|---------|---------------|

## Sick—Senator Cooper—1.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Costello,  
Davisson,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,  
Marshall,

Martin,  
Matthews,  
Orchard,  
Ramp,  
Rollins,  
Rubey,  
Smith,

Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Whaley,  
Zevely—29.

## NAYS—None.

## Absent with leave—Senators

Collins, Morton,

Schoenlaub—3.

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Matthews moved that the vote by which the bill and emergency clause passed be reconsidered.

Senator Stubbs moved to lay that motion on the table.

The latter motion prevailed.

Senator Biggs moved that the rules be suspended, and House bill No. 277 be taken up.

The motion prevailed.

House bill No. 277 was taken up, and Senator Biggs moved that the bill be read third time and placed upon its passage.

Senator Rubey, in discussing motion to read bill third time, presented the following petition, which is hereby made a part of record:

Mexico, Missouri, March 8, 1901.

To the Honorable Senate of the 41st General Assembly of Missouri:

We, the undersigned citizens of Audrain county, respectfully beg leave to express our opposition to House bill No. 277, abolishing the Sturgeon Court of Common Pleas; and give our reasons for the same as follows: First, that court subverses the interests of a large scope of country, thickly populated, remote from any county seat; second, it removes from that vicinity the educational advantages of a court within its midst; third, it destroys an old institution of that community in which it has vested rights; fourth, it would take from that community a convenience established within its midst by the wisdom of former legislation and which has been approved by two constitutional conventions.

Respectfully submitted,

J. T. JOHNSON,  
JOHN T. RICKETTS,  
W. W. SETTLE,  
A. D. JACKSON,  
J. S. ROY,  
J. A. GUTHRIE,  
C. F. CLARK,  
H. A. RICKETTS,  
T. H. MARSHALL,  
P. K. RUSSELL,  
F. W. BICKLEY,  
LAKE NEWKIRK, SR.,  
J. G. GRIFFIN,  
V. O. C. KING,  
A. G. TURNER,  
JOHN T. CREWS,  
N. S. MYERS,  
GEO. ROBERTSON, Atty.,  
J. W. PLUNKETT,  
JAS. C. MUNDY,  
GUS. A. FRANK,  
J. G. WARE,  
S. O. SPARKS,  
W. W. MILLER,  
W. E. CROCKETTS,  
P. M. MORRIS,  
W. W. HARPER,  
W. S. FULLER,  
W. W. HARPER, JR.,  
C. R. LUPTON,  
W. B. MARSHALL,  
W. J. WINSCOTT,  
E. S. CAVE, M. D.,  
JAMES ROBINSON,  
R. H. EDMONDS,  
D. W. McKEEPARD,  
E. D. GRAHAM,

R. P. HOPKINS,  
J. P. HARPER,  
W. D. CROW,  
W. H. KENNON,  
J. D. MORRIS,  
JOHN ABBAY,  
W. S. H. STOLLURS,  
B. P. CAUTHORN,  
J. C. WILKINS,  
J. H. SALLEE,  
ED. DEARING,  
D. H. McINTYRE,  
J. C. BUCKNER,  
W. H. MORRIS,  
A. B. MORRIS,  
P. S. LOCKE,  
J. T. SCOTT,  
J. A. McINTYRE,  
F. R. BURKHART,  
H. C. TURNER,  
A. R. BRISCOE,  
CECIL M. BASKETT,  
WM. R. DUDLEY,  
S. J. BUCKNER,  
C. T. VARNON, M. D.,  
R. R. ARNOLD, JR.,  
E. HUGHES,  
B. R. MIDDLETON,  
F. LOVELESS,  
L. N. BASS, ex-J. P.,  
J. AL. BROWN,  
H. H. LONG,  
J. M. POLLARD,  
R. D. WORRELL,  
T. S. RIELEY,  
JOS. OFFUTT,  
E. M. C. D. BRIDGFORD,

J. H. LANE,  
C. D. STICKLEY,  
W. F. SQUIRES,  
J. E. JESSE,  
S. M. EDWARDS,  
W. J. MASON,  
J. T. LEEPER, ex-Collector,  
ALBERT HARRISON, Collector,  
J. T. WILLIAMS, Recorder of Deeds,  
T. J. DINGER,  
QUINCY JAMES,  
H. W. WINTER,  
J. P. GIBBS,  
PHIL REBMAN,  
L. I. ATKINS,  
SI. PHILLIP,  
NATE PHILLIP,  
L. PHILLIP,  
W. K. POTTS, Mayor,  
W. T. DAWSON,  
J. E. MOORE,

W. G. HUTTON,  
GEO. E. LAFORCE,  
I. F. COONS,  
J. D. JACKMAN,  
J. F. LLEWELLYN,  
G. KABRICH,  
F. A. SANNEBECK,  
C. SANNEBECK,  
J. B. HAWKINS, M. D.,  
J. E. BLATTNER,  
W. J. McLONEY,  
E. H. McDONALD,  
L. J. KELSO,  
JOHN PANOS,  
MARK PILCHER,  
JNO. J. STEELE,  
GEO. H. CLARK,  
R. M. WHITE,  
F. A. REAF,  
J. M. MASON,  
GEO. W. BRATTESTON.

Senator Rubey offered the following amendment to House bill No. 277:

Senate amendment to House bill No. 277:

Amend House bill No. 277 by adding thereto a new section, as follows:

Section 5. The provisions of this act are hereby suspended until a majority of the legal voters, voting at an election, residing within the jurisdiction of said Sturgeon Court of Common Pleas shall vote to enforce the same. On the Tuesday next following the first Monday in November, nineteen hundred and two, a vote of the people residing in said jurisdiction shall be taken upon the question whether said court of Common Pleas shall be abolished. The following shall be the form of the ballot:

For abolishing Sturgeon Court of Common Pleas—Yes.

For abolishing Sturgeon Court of Common Pleas—No.

The vote on the proposition shall be certified to the county clerk of the county wherein such vote is cast, and the county clerks of Boone, Randolph and Howard counties shall, within ten days certify the vote in their respective counties to the county clerk of Audrain county, who shall cast up the returns and publish the result.

If a majority of those voting at said election vote in favor of abolishing said Sturgeon Court of Common Pleas, then this act shall be in full force and effect, otherwise it shall be null and void;

Which was read and adopted by the following vote:

#### YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Costello, | Jewell,   | Ramp,    | Stubbs,    |
| Dowell,   | Lee,      | Rollins, | Sullivan,  |
| Farris,   | Matthews, | Rubey,   | Walker,    |
| Fields,   | Morton,   | Smith,   | Zevely—18. |
| Haynes,   | Orchard,  |          |            |

#### NAYS—Senators

|          |           |            |            |
|----------|-----------|------------|------------|
| Biggs,   | Clay,     | Heather,   | Tandy,     |
| Bradley, | Davison,  | Martin,    | Thomas,    |
| Clarke,  | Drabelle, | Shoenlaub, | Whaley—12. |

Absent with leave—Senators

Collins, Marshall—2.

Sick—Senator Cooper—1.

Question recurring on motion to read the bill third time.

The motion prevailed.

House bill No. 277, as amended, entitled

An act to repeal the article beginning on page 2585 and ending on page 2589 of volume 2, Revised Statutes of Missouri, 1899, entitled "Sturgeon Court of Common Pleas," and to abolish said court and transfer all records and papers of said court to the clerk of the circuit court of Boone county,

Was read third time, placed upon its passage, and passed by the following vote:

|           |          |             |            |
|-----------|----------|-------------|------------|
| Biggs,    | Farris,  | Matthews,   | Smith,     |
| Bradley,  | Fields,  | Morton,     | Stubbs,    |
| Clarke,   | Haynes,  | Orchard,    | Sullivan,  |
| Clay,     | Heather, | Ramp,       | Tandy,     |
| Costello, | Jewell,  | Rollins,    | Thomas,    |
| Dowell,   | Lee,     | Schoenlaub, | Whaley—26. |
| Drabelle, | Martin,  |             |            |

## NAYS—Senators

Davisson,

Rubey,

Walker,

Zevely—4.

Absent with leave—Senators  
Collins, Marshall,

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Biggs moved that the vote by which House bill No. 277 was passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred House bill No. 331, entitled

An act to provide for the holding of primary elections and conventions in counties which now or may hereafter contain more than one hundred and seventy-five thousand and less than three hundred thousand inhabitants, regulating such primaries and conventions, and prescribing penalties for the violation of said act,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

House bill No. 212 was taken up and laid over informally.

House bill No. 68 was taken up and laid over informally.

Senator Thomas called up House amendments to Senate bill No. 125, and moved that the Senate concur in House amendment No. 1 to Senate bill No. 125.

Amend Senate bill No. 125 by inserting between the word "lowest," in the 13th line, and the word "bidder." in the 14th line, the words "and best."

Senate concurred in the amendment by the following vote:

## YEAS—Senators

Biggs,

Farris,

Matthews,

Stubbs,

Bradley,

Fields,

Morton,

Sullivan,

Clarke,

Haynes,

Orchard,

Tandy,

Clay,

Jewell,

Ramp,

Thomas,

Davisson,

Lee,

Rollins,

Walker,

Dowell,

Marshall,

Schoenlaub,

Whaley,

Drabelle,

Martin,

Smith,

Zevely—28.

## NAYS—None.

Absent with leave—Senators

Collins,

Costello,

Heather,

Rubey—4.

Sick—Senator Cooper—1.

Senate bill No. 125, as amended, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,

Dowell,

Morton,

Tandy,

Bradley,

Farris,

Rollins,

Thomas,

Clarke,

Haynes,

Schoenlaub,

Walker,

Clay,

Jewell,

Smith,

Whaley,

Costello,

Lee,

Stubbs,

Zevely—22.

Davisson,

Marshall,

## NAYS—Senators

Heather,

Martin—2.

Absent with leave—Senators

Collins,

Fields,

Orchard,

Rubey,

Drabelle,

Matthews,

Ramp,

Sullivan—3.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved to reconsider the vote by which the bill passed.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 98 was called up.

Senator Walker moved that the bill be read third time and placed upon its passage.

The motion prevailed.

House bill No. 98 was read third time, and failed to pass by the following vote:

YEAS—Senators

|           |             |           |            |
|-----------|-------------|-----------|------------|
| Biggs,    | Orchard.    | Sullivan, | Walker,    |
| Matthews, | Schoenlaub, | Tandy,    | Whaley,    |
| Morton,   | Smith,      | Thomas,   | Zevely—12. |

NAYS—Senators

|           |          |           |            |
|-----------|----------|-----------|------------|
| Bradley,  | Davison, | Haynes,   | Ramp,      |
| Clarke,   | Dowell,  | Heather,  | Rubey,     |
| Clay,     | Farris,  | Lee,      | Stubbs—15. |
| Costello, | Fields,  | Marshall, |            |

Absent with leave—Senators

|           |         |         |            |
|-----------|---------|---------|------------|
| Collins,  | Jewell, | Martin, | Rollins—5. |
| Drabelle, |         |         |            |

Sick—Senator Cooper—1.

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 537, entitled

An act to amend section 8095, chapter 119, article 2 of the Revised Statutes of Missouri, 1899, relating to insurance;

Also, House bill No. 606, entitled

An act to amend section 5927 of article 5, chapter 91, Revised Statutes of Missouri, 1899, relating to warrants, how served, with title amended, by adding the words "with an emergency clause;"

Also, House bill No. 574, entitled

An act to repeal section 4206, article 1, chapter 47, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 4206, relating to mechanics' liens;

In which the concurrence of the Senate is respectfully requested; Which were read.

House bill No. 390, entitled

An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled "Roads and highways," and enacting three new sections in lieu thereof, and to be known as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows:

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |          |            |
|----------|-----------|----------|------------|
| Biggs,   | Fields,   | Morton,  | Sullivan,  |
| Bradley, | Haynes,   | Orchard, | Tandy,     |
| Clarke,  | Heather,  | Ramp,    | Thomas,    |
| Clay,    | Jewell,   | Rollins, | Walker,    |
| Davison, | Lee,      | Rubey,   | Whaley,    |
| Dowell,  | Marshall, | Stubbs,  | Zevely—26. |
| Farris,  | Martin,   |          |            |

## NAYS—Senators,

Matthews, Smith—2.  
 Absent with leave—Senators  
 Collins, Costello,  
 Sick—Senator Cooper—1.

Drabelle, Schoenlaub—4.

The title to the bill was read and agreed to.

Senator Clarke moved that the vote by which the bill passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 66, entitled

An act to repeal section 148 of article 8, chapter I of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Haynes,   | Morton,     | Stubbs,    |
| Bradley,  | Heather,  | Orchard,    | Sullivan,  |
| Clay,     | Jewell,   | Ramp,       | Tandy,     |
| Costello, | Lee,      | Rollins,    | Thomas,    |
| Davisson, | Marshall, | Rubey,      | Walker,    |
| Dowell,   | Martin,   | Schoenlaub, | Whaley—26. |
| Drabelle, | Matthews, |             |            |

## NAYS—Senators

Farris, Zevely—2.  
 Absent with leave—Senators  
 Clarke, Collins,  
 Sick—Senator Cooper—1.

Fields, Smith—4.

The title to the bill was read and agreed to.

Senator Walker moved that the vote by which the bill passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for House bill No. 67, entitled

An act to amend section six thousand five hundred and sixty-six (6566) of article twenty-three (23), chapter ninety-one (91), Revised Statutes of Missouri, 1899, relating to juries in cities with over one hundred thousand inhabitants,

Was read third time, and failed to pass by the following vote:

## YEAS—Senators

|         |           |          |            |
|---------|-----------|----------|------------|
| Biggs,  | Drabelle, | Martin,  | Ramp,      |
| Clay,   | Fields,   | Rollins, | Thomas,    |
| Dowell, | Heather,  | Stubbs,  | Walker—12. |

## NAYS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Bradley,  | Farris,   | Matthews, | Schoenlaub, |
| Clarke,   | Haynes,   | Morton,   | Whaley,     |
| Costello, | Jewell,   | Orchard,  | Zevely—15.  |
| Davisson, | Marshall, | Rubey,    |             |

## Absent with leave—Senators

|          |       |        |             |
|----------|-------|--------|-------------|
| Collins, | Ramp, | Smith, | Sullivan—5. |
| Lee,     |       |        |             |

Sick—Senator Cooper—1

House bill No. 112, entitled

An act to amend section three thousand seven hundred and ninety-one (3791), article 1, chapter 42, Revised Statutes of Missouri, 1899, relating to juries,

Was read third time, and failed to pass by the following vote:

## YEAS—Senators

|                   |                 |                     |           |
|-------------------|-----------------|---------------------|-----------|
| Biggs,<br>Dowell, | Fields,<br>Lee, | Martin,<br>Rollins, | Walker—7. |
|-------------------|-----------------|---------------------|-----------|

## NAYS—Senators

|  |  |  |  |
|--|--|--|--|
| Bradley,<br>Clarke,<br>Costello,<br>Davisson,<br>Farris, | Haynes,<br>Jewell,<br>Matthews,<br>Morton, | Orchard,<br>Ramp,<br>Rubey,<br>Schoenlaub, | Stubbs,<br>Tandy,<br>Thomas,<br>Whaley—17. |
|--|--|--|--|

## Absent with leave—Senators

|                   |                       |                     |                        |
|-------------------|-----------------------|---------------------|------------------------|
| Clay,<br>Collins, | Drabelle,<br>Heather, | Marshall,<br>Smith, | Sullivan,<br>Zevely—8. |
|-------------------|-----------------------|---------------------|------------------------|

## Sick—Senator Cooper—1.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has refused to concur in the Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 to House bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other educational institutions during the years 1901 and 1902;

In which the concurrence of the Senate is respectfully requested;  
Which was read.

The rules were suspended.

House bill No. 523, entitled

An act entitled "An act to repeal section 9547 of article 5, chapter 151 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof,"

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|   |   |  |  |
|---|---|--|--|
| Biggs,<br>Bradley,<br>Clarke,<br>Costello,<br>Davisson, | Drabelle,<br>Fields,<br>Haynes,<br>Jewell,<br>Matthews, | Morton,<br>Ramp,<br>Rubey,<br>Schoenlaub,<br>Stubbs, | Tandy,<br>Thomas,<br>Walker,<br>Whaley—19. |
|---|---|--|--|

## NAYS—Senators

|         |           |
|---------|-----------|
| Dowell, | Zevely—2. |
|---------|-----------|

## Absent with leave—Senators

|                              |                               |                                 |                        |
|------------------------------|-------------------------------|---------------------------------|------------------------|
| Clay,<br>Collins,<br>Farris, | Heather,<br>Lee,<br>Marshall, | Martin,<br>Orchard,<br>Rollins, | Smith,<br>Sullivan—11. |
|------------------------------|-------------------------------|---------------------------------|------------------------|

## Sick—Senator Cooper—1.

Senator Walker offered the following amendment to the title to House bill No. 523:

Senate amendment No. 1 to House bill No. 523:

Amend title to House bill No. 523 by inserting after the figures "1899" the following words: "Relating to grading, macadamizing, graveling and widening roads.

The title to the bill, as amended, was agreed to.

Senator Walker moved that the vote by which the bill was passed be reconsidered.

Senator Lee moved to lay that motion on the table.

The latter motion prevailed.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House,

House bill No. 260, entitled

An act to provide for the incorporation, management and regulation of societies authorized to make loans upon pledges, and limiting the rate of compensation to be paid for advances, storage and insurances on pledges, and to allow the loaning of money on personal property;

In which the concurrence of the Senate is respectfully requested;  
Which was read.

Senator Rubey moved that the Senate insist on Senate amendments to House bill No. 593, and ask for a conference.

The motion prevailed.

Senator Walker called up House bill No. 40, and moved that the Senate recede from Senate amendments to the bill.

Roll call demanded.

The motion was lost by the following vote:

YEAS—Senators

Biggs,  
Clay,

Fields,  
Martin,

Stubbs,  
Tandy,

Walker—7.

NAYS—Senators

Bradley,  
Clarke,  
Costello,  
Davisson,  
Dowell,  
Drabelle,

Farris,  
Haynes,  
Heather,  
Jewell,  
Lee,  
Marshall,

Matthews,  
Morton,  
Orchard,  
Ramp,  
Rollins,

Schoenlaub,  
Smith,  
Thomas,  
Whaley,  
Zevely—22.

Absent with leave—Senators

Collins,

Rubey,

Sullivan—3.

Sick—Senator Cooper—1.

Senator Farris, from the Committee on Private Corporations, submitted the following report:

Mr. President: Your Committee on Private Corporations, to which was referred House bill No. 629, entitled

An act to amend section 1423, chapter 12, article 11 of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

Senator Walker moved that the Senate adhere to Senate amendments to House bill No. 40, and ask for the appointment of a conference committee.

The motion prevailed.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the following report:

Mr. President: Your Committee on Municipal Corporations, to which was referred House bill No. 610, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets, by enacting a new section, to be known as section 5982a,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

House bill No. 482, entitled

An act to repeal section 9441, article 1, chapter 151, Revised Stat-

utes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 9441,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Haynes,   | Matthews, | Stubbs,    |
| Bradley,  | Heather,  | Orchard,  | Sullivan,  |
| Clarke,   | Jewell,   | Ramp,     | Tandy,     |
| Clay,     | Lee,      | Rollins,  | Walker,    |
| Davisson, | Marshall, | Rubey,    | Whaley,    |
| Dowell,   | Martin,   | Smith,    | Zevely—25. |
| Farris,   |           |           |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |           |
|-----------|-----------|-------------|-----------|
| Collins,  | Drabelle, | Morton,     | Thomas—7. |
| Costello, | Fields,   | Schoenlaub, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Less moved that the vote by which the bill was passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 70 was taken up.

Senator Morton moved that the bill be read third time and put upon its passage.

Senator Haynes offered the following amendments to House bill No. 70:

Senate amendment to House bill No. 70:

Amend House bill No. 70 by striking out the word "one," between the word "exceed" and the word "hundred," in line 16 of printed bill, and insert in lieu thereof the word "two;"

Which was read and lost.

Senate amendment to House bill No. 70:

Amend House bill No. 70 by striking out the word "one," between the word "exceed" and the word "hundred," in line 16 of printed bill, and insert in lieu thereof the word "three;"

Which was read and lost.

The question recurring on motion to read the third time.

The motion prevailed.

Senate bill No. 70 was read third time and failed to pass by the following vote:

YEA—Senator Biggs—1.

NAYS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Farris,   | Martin,     | Stubbs,    |
| Clarke,   | Fields,   | Matthews,   | Sullivan,  |
| Clay,     | Haynes,   | Morton,     | Tandy,     |
| Costello, | Heather,  | Orchard,    | Thomas,    |
| Davisson, | Jewell,   | Rubey,      | Walker,    |
| Dowell,   | Lee,      | Schoenlaub, | Whaley,    |
| Drabelle, | Marshall, | Smith,      | Zevely—28. |

Absent with leave—Senators

|          |       |            |
|----------|-------|------------|
| Collins, | Ramp, | Rollins—3. |
|----------|-------|------------|

Sick—Senator Cooper—1.

Senator Tandy, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 81, entitled

An act creating a State Board of Health, and repealing article 1, chapter III of the Revised Statutes of 1899,

Begs leave to report that it has compared the same and finds it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

The President appointed the following committee on conference for House bill No. 593:

Senators Rubey, Bradley and Sullivan.

House bill No. 344 was taken up, read third time and failed to pass by the following vote:

YEAS—Senators

|          |         |        |           |
|----------|---------|--------|-----------|
| Biggs,   | Martin, | Tandy, | Walker—6. |
| Bradley, | Clay,   |        |           |

NAYS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Clarke,   | Fields,   | Matthew,    | Smith,     |
| Cestello, | Heather,  | Morton,     | Sullivan,  |
| Davison,  | Jewell,   | Orchard,    | Thomas,    |
| Dowell,   | Lee,      | Rubey,      | Whaley,    |
| Drabelle, | Marshall, | Schoenlaub, | Zevely—21. |
| Farris,   |           |             |            |

Absent with leave—Senators

|          |       |          |           |
|----------|-------|----------|-----------|
| Collins, | Ramp, | Rollins, | Stubbs—5. |
| Haynes,  |       |          |           |

Sick—Senator Cooper—1.

House bill No. 74, entitled

An act to amend section 2627 of article 7 of chapter 16 of Revised Statutes of the State of Missouri of 1899, entitled "Practice and proceedings in criminal cases,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Farris,   | Morton,  | Stubbs,    |
| Clarke,   | Heather,  | Orchard, | Sullivan,  |
| Clay,     | Jewell,   | Rollins, | Tandy,     |
| Davison,  | Lee,      | Rubey,   | Thomas,    |
| Drabelle, | Matthews, | Smith,   | Zevely—20. |

NAYS—Senators,

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Bradley,  | Dowell,   | Martin, | Walker—6. |
| Cestello, | Marshall, |         |           |

Absent with leave—Senators

|          |         |             |           |
|----------|---------|-------------|-----------|
| Collins, | Haynes, | Schoenlaub, | Whaley—6. |
| Fields,  | Ramp,   |             |           |

Sick—Senator Cooper—1.

Senator Heather moved to reconsider the vote by which the bill passed.

On motion of Senator Morton, the Senate took a recess until 7:30 p. m.

## NIGHT SESSION.

The Senate was called to order by the President at 7:30 p. m.

The pending question being,

Shall the vote by which House bill No. 74 was passed be reconsidered.

Senator Farris moved that the further consideration of the question be postponed until 11 a. m. tomorrow.

The motion prevailed.

Senate enrolled bill No. 125, entitled

An act in relation to the use of Missouri building stone in all public buildings in this State,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

House bill No. 574, entitled

An act to repeal section 4206, article 1, chapter 47, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 4206, relating to mechanics' liens,

Was taken up and read first time.

House bill No. 606, entitled

An act to amend section 5927 of article 5, chapter 91 of the Revised Statutes of Missouri of 1899, relating to warrants, how served,

Was taken up and read first time.

House bill No. 537, entitled

An act to amend section 8095, chapter 119, article 11 of the Revised Statutes of Missouri, 1899, relating to insurance,

Was taken up and read first time.

Committee substitute for House bill No. 5, entitled

An act authorizing the appointment of a commission to ascertain and determine the positions of Missouri troops in the siege and defense of Vicksburg, and to make an appropriation to pay the necessary traveling expenses of said commission,

Was taken up and read first time.

House bill No. 560, entitled

An act to amend sections 4867 and 4873 of article I, chapter 72, Revised Statutes of Missouri, 1899, entitled "Asylums," and relating to officers, patients, etc.,

Was taken up and read first time.

House bill No. 439, entitled

An act fixing the times for holding court in the Thirteenth judicial circuit,

Was taken up and read first time.

House bill No. 288, entitled

An act amending section six thousand four hundred and sixty-nine of the Revised Statutes of 1899, relating to directors of public libraries,

Was taken up and read first time.

House bill No. 440, entitled

An act to provide protection to mechanics and other persons for labor performed and material furnished for the repair of personal property, and to secure the same by a lien,

Was taken up and read first time.

House bill No. 622, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri,

Was taken up and read first time.

House bill No. 249, entitled

An act to appropriate the county foreign insurance tax fund for the years 1899 and 1900, and for the years 1901 and 1901, and distribute the same as provided in section 8047, chapter 119, article 8, Revised Statutes of 1899,

Was taken up and read first time.

House bill No. 265, entitled

An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations,

Was taken up and read first time.

House bill No. 557, entitled

An act to amend chapter 22, article 1 of the Revised Statutes of 1899, by adding a new section thereto, to be known as section 3018a, relating to dramshop licenses, criminal cases, proceedings upon indictment or information for the illegal sale of intoxicating liquors; an act providing that in prosecutions under the dramshop act for selling intoxicating liquor it shall be no defense for the defendant to show that he was doing business under a merchants' license or that he was a registered pharmacist, or the proprietor of a drug store,

Was taken up and read first time.

House bill No. 531, entitled

An act to amend article 3 of chapter 15 of the Revised Statutes of Missouri, 1899, relating to offenses against public and private property, by adding a new section thereto, to be known as section 1887a,

Was taken up and read first time.

House bill No. 534, entitled

An act establishing in the University of the State of Missouri a chair of dairy husbandry; authorizing and directing the Board of Curators of the University to appoint a professor of dairy husbandry; designating the duties of the professor of dairy husbandry; appropriating money therefor,

Was taken up and read first time.

House bill No. 282, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words,

Was taken up and read first time.

House bill No. 514, entitled

An act to amend article 18 of chapter 12, Revised Statutes of Missouri, 1899, regulating charges of express companies, by adding to said article 18 a new section, to be known as section 1522a, regulating the method of company, distances of express matter carried,

Was taken up and read first time.

House bill No. 416, entitled

An act to amend article 1, chapter 47 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 4227a,

Was taken up and read first time.

House bill No. 285, entitled

An act giving the heirs, legal representatives and persons dependent for support upon anyone whose death results from the carelessness or negligence of another person or corporations,

Was taken up and read first time.

House bill No. 458, entitled

An act to provide for the taxation of telephone companies,

Was taken up and read first time.

House bill No. 260, entitled

An act to provide for the incorporation, management and regulation of societies authorized to make loans upon pledges, and limiting the rate of compensation to be paid for advances, storage and insurance on pledges, and to allow the loaning of money upon personal property,

Was taken up and read first time.

Senate enrolled bill No. 160, entitled

An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The President announced the reception from the House of Representatives, substitute for committee substitute House enrolled bill No. 163, entitled

An act to amend article 3 of chapter 91 of the Revised Statutes of 1899, and entitled "Cities, towns and villages," by repealing sections 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539, and enacting in lieu thereof new section, to be known as 5490, 5491, 5492, 5493, 5494, 5495, 5496, 5497, 5498, 5499, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5518, 5519, 5534, 5539.

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was

read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Senator Morton introduced Senate bill No. 337, entitled

An act to authorize the Governor to compromise and settle all inspection fees under the act approved May 4th, 1899, known as the "Beer Inspection law," that accrued prior to March 20th, 1901, and to remit all fines and forfeitures incurred under this act prior to this date by parties who shall comply with its terms and provisions and to bar all prosecutions against such parties not now pending;

Read first time and 150 copies ordered printed, preference given in printing.

Senator Morton introduced Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor;

Read first time and 150 copies ordered printed, preference given in printing.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 12, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 62, entitled "An act providing that in certain actions for damages brought against a city of over one hundred and fifty thousand inhabitants, such city may require the plaintiff to join as co-defendant any person or corporation liable to an action by the plaintiff on the same account for which the city is sued."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

The six following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 580, entitled

An act to amend section 7132 of article 4, chapter 102 of the Revised Statutes of Missouri, 1899, relating to primary elections in cities of 100,000 inhabitants or over;

Also, House bill No. 378, entitled

An act to amend section 1195, article 4, chapter 12, Revised Statutes of Missouri, 1899, entitled "Railroad classification, charges, commissioners," by inserting therein certain words;

In which the concurrence of the Senate is respectfully requested;

Also, that the House has refused to concur in Senate amendments to House bill No. 277, entitled

An act to repeal the article beginning on page 2585 and ending on page 2589, Revised Statutes of Missouri, 1899;

Also, Senate bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court; and to provide an election to be held for the purpose of voting therefor and notice thereof and for the form of ballots and to provide for the payment of such bonds and for the levying of tax therefor and declaring an emergency,

Also, committee substitute for Senate bill No. 299, entitled

An act to create a commission to revise chapter 149, Revised Statutes of 1899, entitled "The assessments and collection of revenue; authorizing said commission to propose changes in the present revenue laws and additional revenue measures; and requiring it to report the results of its labors to the 42nd General Assembly;

Also, Senate bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections,

Which were read.

House bill No. 378, entitled

An act to amend section 1195, article 4, chapter 12 of the Revised Statutes of the State of Missouri, 1899, entitled "Railroad classification, charges, commissioners," by inserting therein certain words,

Was taken up and read first time.

House bill No. 580, entitled

An act to amend section 7132 of article 4, chapter 102 of the Revised Statutes of Missouri, 1899, relating to primary elections in cities of 100,000 inhabitants or over,

Was taken up and read first time.

On motion of Senator Zevely, the Senate adjourned until 10 a. m. tomorrow.

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#### FIFTY-SECOND DAY—Wednesday, March 13, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Biggs, from the Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs, submitted the two following reports:

Mr. President: Your Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs, to which was referred House bill No. 399, entitled

An act to amend section 3253 of the Revised Statutes of 1899, relating to fees of constables,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Retrenchment and Reform, Fees and Salaries and Criminal Costs, to which was referred House bill No. 400, entitled

An act to amend section 3261 of the Revised Statutes of 1899, relating to fees of justices of the peace,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Rubey, from the Committee on Appropriations, submitted the two following reports:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, public printing, etc.,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendments;

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 418, entitled

An act to appropriate money to pay deficiencies in the expenses of the State government for the years 1899 and 1900, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass with the accompanying amendments;

Which were read.

On motion of Senator Rubey, the Senate went into Committee of the Whole to consider appropriation bills.

Regular session resumed.

A message from the Governor.

[See Appendix.]

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the following resolution was adopted by the House:

Resolved by the House of Representatives, the Senate concurring therein, That the Forty-first General Assembly of the State of Missouri adjourn sine die at 12 o'clock noon, on Monday March 18, 1901,

In which the concurrence of the Senate is respectfully requested;  
Which was read.

The Senate again went into the Committee of the Whole to consider appropriation bills.

Regular session resumed.

Senator Fields, from the Committee of the Whole, submitted the two following reports:

Mr. President: Your Committee of the Whole, to which was referred House bill No. 418, entitled

An act to appropriate money to pay the deficiencies in the expenses of the State government for the years 1899 and 1900, with emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendment No. 1;

Mr. President: Your Committee of the Whole, to which was referred House bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902,

Begs leave to report that it has examined the same and recommends that it do pass with accompanying amendments, Nos. 1 to 21, inclusive;

Which were read.

Amendments to House bills Nos. 418 and 609 were taken up and laid over informally.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:  
To the Senate:

I think it my duty to call your attention to the present condition of the beer inspection law, enacted by the General Assembly of 1899, and to submit for your consideration a request which has been presented to me by the representatives of a number of the brewers of the State.

This law went into effect on the 20th of August, 1899. Its validity was affirmed by a decision of our Supreme Court on the 5th inst.

The law is an inspection measure, and provides that beer shall only be manufactured or sold in this State when made from certain cereals therein mentioned.

It requires that all beer offered for sale shall be inspected, and for such inspection a fee is charged to be paid into the State treasury.

The Supreme Court held that it is not a tax upon property, but is in the nature of an excise or license duty upon the business of manufacturing and selling beer.

The fee is only to be paid for the inspection. The inspection was not made because the brewers were contesting the constitutionality of the law and declined to have this done.

There is no method by which these inspection fees can be collected upon the beer sold in the State prior to this time.

But the law provides a penalty for selling uninspected beer. It is made a misdemeanor to do so.

The only remedy now open is to prosecute those who since the law went into effect have sold uninspected beer. The penalty prescribed is a fine not exceeding five hundred dollars, or imprisonment in the county jail for a period not less than six months, and, in addition thereto, the revocation of the license or other authority, giving the right to manufacture or sell such liquors in this State, and a prohibition against its renewal at any time within two years thereafter.

It will be observed that the fine must be collected by a criminal prosecution in each case. To do this will necessitate prosecutions in every county in Missouri against the local dealers in beer, as well as prosecutions against the brewers or manufacturers of beer. A separate criminal proceeding is necessary for each offense. Not one dollar from this source can in any event go into the State treasury.

Then, too, upon the conviction of a brewer his license or authority to manufacture beer must be revoked, and cannot be renewed within two years thereafter. This would not suppress the manufacture of beer, but merely change it from those now engaged in it to others, and would destroy the business built up and established by the present owners.

It is represented to me by those authorized to speak for the brewers, that they have never had any desire to defy the authority of the State or to resist the execution of its laws. They were advised by eminent lawyers that the act of the General Assembly above mentioned was unconstitutional and that they were not obligated to submit to its provisions.

Acting upon this advice, they prepared a test case and submitted to the constituted tribunals the question of the validity of the law.

As proof of their sincerity, and that there was good reason for the action taken by them, they point to the fact that the law was upheld by a divided court. They call attention to this as evidence of their good faith in the entire matter, and that there was ground for the action taken by them.

They do not want criminal prosecutions instituted. They do not desire to have their business interfered with or broken up or their licenses revoked.

I cannot think that public policy demands that this should be done.

They have, therefore, submitted to the Attorney-General the law officer of the State, and through him to me, a request to be permitted to pay directly into the State treasury ten cents a barrel upon each and every barrel of beer sold for consumption in this State since the 10th day of September, 1899, and to make that payment at once. This will amount to about the sum of \$200,000.00. Upon the trial of the case in the Supreme Court it was shown that the annual output of beer for consumption in this State by our domestic breweries was 1,275,000 barrels, and they agree to take this as the proper basis and pay ten cents for each barrel since the law went into effect. This will yield us a revenue from the beer inspection law at once of about \$200,000.00.

There will also be due upon the same basis from agents of foreign brewers who have imported their beer into this State, about \$25,000.00 more.

They ask permission to make this payment into the State treasury, and that it be received and accepted in lieu of the forfeitures and penalties which might be enforced by criminal prosecutions.

I think, instead of attempting by criminal proceedings in the various courts of the State to enforce the penalties and forfeitures of this act, at great cost and trouble, it will be far better to make the adjustment proposed, and I do not hesitate to recommend it.

This conclusion is concurred in by every officer of the Executive Department of the State.

Not one dollar of the inspection fees upon beer heretofore sold in this State can be collected. The fees are for the inspection of the beer. It has already been sold and consumed. Hence the inspection cannot be made, and no fees can be demanded for so doing. All that can be collected are such as may be enforced in the various counties of the State at the end of a criminal prosecution.

In this connection, I will also state that it seems to be the consensus of opinion of those who have investigated the matter that the present inspection fees are too high and should be reduced. The people of this State have no desire to do injustice to any citizen or to oppress any lawful industry. Our policy is to deal fairly with all. Twenty cents a barrel will yield a revenue, according to the estimates made in the trial in which the validity of the law was contested, of about \$300,000 annually. This would seem to be a sufficient sum to collect from the brewing interests and will be a fair

share for them of the public burdens for the support of the State government. The brewers should pay a liberal amount for the maintenance of the State government, and it seems to me that an inspection rate which will certainly yield not less than \$300,000 yearly is a just and fair basis of taxation, it being additional to taxes paid by them upon their property.

To summarize: These measures will bring into the State treasury at once about \$225,000 in cash, not one cent of which would otherwise be received, and will further provide an assured annual income for the future of about \$300,000, which will enable us to fully meet all reasonable demands of our State institutions.

As against this policy, is the disagreeable one of compelling the Executive to veto items of appropriation for the maintenance of our educational, eleemosynary, reformatory and penal institutions, all of which are urgently needed for their support; the institution of criminal prosecutions, not only against the brewers, but against all the local dealers in beer in every county in the State, while at the same time the constitutionality of this law may "drag its slow length along" in the United States Supreme Court for two years.

As I see the situation, every consideration of equity and fair dealing, both to the interests affected and also to our other tax-payers, as well as a wise public policy, call for the prompt enactment of these measures into law.

A. M. DOCKERY.

Governor's office, City of Jefferson, March 13th, 1901.

Which was read.

On motion of Senator Clay, the Senate took a recess until 2 p. m.

### AFTERNOON SESSION.

The hour of recess having expired, the President called the Senate to order at 2:30 p. m.

Senator Farris called up House concurrent resolution fixing day of adjournment and moved that the resolution be adopted.

Senator Rubey moved as a substitute that the resolution be made a special order for 10 a. m. Friday.

Roll call demanded.

The motion prevailed by the following vote:

#### YEAS—Senators

Biggs,  
Clarke,  
Clay,  
Davisson,  
Dowell,

Drabelle,  
Fields,  
Heather,

Lee,  
Martin,  
Morton,  
Rubey,

Stubbs,  
Whaley,  
Zevely—15.

#### NAYS—Senators,

Bradley,  
Costello,  
Farris,  
Haynes,

Jewell,  
Matthews,  
Orchard,  
Ramp,

Rollins,  
Schoenlaub,  
Smith,

Sullivan,  
Tandy,  
Thomas—14.

#### Absent with leave—Senators

Collins,

Marshall,

Walker—3.

#### Sick—Senator Cooper—1.

The following two communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has refused to concur in Senate amendments 1, 2, 3, 4 and 5 to House bill No. 615, entitled

An act to divide the State into sixteen Congressional districts, and has appointed a conference committee of three.

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed a conference committee—Messrs. Barrett, Coffman and Thomas—to confer with a Senate committee in regard to House bill No. 40, entitled

An act to amend section 4 of article 2 of chapter 12 of Revised Statutes of Missouri, 1899, entitled "Railroad companies,"

Which were read.

Senator Tandy, from the Committee on Engrossed Bills, submitted the three following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 336, entitled

An act to repeal sections 6616 and 6617 of chapter 95 of the Revised Statutes of Missouri, 1899, relating to Congressional and electoral districts, and to enact a new section in lieu thereof, to be known as section 6616;

Also, Senate bill No. 288, entitled

An act repealing section 809 of the Revised Statutes of 1899 of the State of Missouri, and enacting a new section in lieu thereof;

Also, Senate bill No. 106, entitled

An act entitled "An act to authorize the various circuit courts of the State of Missouri to appoint a committee to investigate accounts of public officers handling funds,"

Begs leave to report that it has compared the same and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Dowell, from the Committee on Enrolled Bills, submitted the three following reports:

Mr. President: our Committee on Enrolled Bills, to which was referred Senate bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections;

Also, Senate bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds, and for the levying of tax therefor, and declaring an emergency;

Also, Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled "Fees," with an emergency clause,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

The President announced the reception from the House of Representatives, House enrolled bill No. 528, entitled

An act providing for a Board of Commissioners to Pan-American Exposition at Buffalo, New York, and the South Carolina Interstate and West Indian Exposition at Charleston, prescribing their powers and duties and appropriating money therefor, with an emergency clause;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Senator Lee called up House bill No. 615 and moved that the Senate

insist on Senate amendments to the bill, and that a conference committee be appointed.

The motion prevailed.

Senator Rubey called up House bill No. 418 and moved that committee amendment be agreed to.

Senate amendments to House bill No. 418.

(Amendment applies to printed copy.)

Amendment No. 1:

Amend section 1 as follows: by striking out in lines 12 and 13 the words "sixteen hundred and fifty-seven dollars and five cents," and inserting in lieu thereof the words "seventeen hundred and forty-one dollars and forty-five cents;" by inserting after line 39 the following: "A. M. Woodson, judge Sixth circuit (called to sit as judge in criminal court for Buchanan county), \$55.00; W. W. Graves, judge Twenty-ninth circuit, \$29.40;" by inserting in line 41, "\$1,741.45" in lieu of "\$1,657.05;" by adding after line 109 the following:

Fifteenth. To pay Tribune Printing Company balance on printing, Fortieth General Assembly, one hundred and fourteen dollars and eighty-three cents (\$114.83).

Sixteenth. For the current expenses of the Governor's mansion, the sum of four hundred and thirteen dollars and twenty-nine cents (\$413.29), as follows:

|   |         |
|---|---------|
| Jefferson City Waterworks.....                          | \$75 00 |
| Jefferson City Light, Heat and Power Company.....       | 6 80    |
| Missouri & Kansas Telephone Company.....                | 6 00    |
| M. F. Heinrichs, Jefferson City.....                    | 114 00  |
| Bettie Jones, laundress, Jefferson City (2 months)..... | 36 00   |
| F. Schleer, Jefferson City.....                         | 30 50   |
| Frank Fiend, Jefferson City.....                        | 3 00    |
| H. A. Swift Ice Company.....                            | 69 57   |
| Capital Telephone Company.....                          | 3 00    |
| Ruth Miller (cook at executive mansion).....            | 20 00   |
| Chas. Opel, Jefferson City (repairs).....               | 15 75   |
| Pauline Ihler (house girl) one month.....               | 18 00   |
| W. W. Edwards, Jefferson City.....                      | 10 70   |
| M. R. Sinks.....  | 4 95    |

Total ..... \$413 27

Seventeenth. For contingent expenses of the Governor's office, the sum of four hundred and sixteen dollars and thirty-three cents (\$416.33), as follows:

|  |        |
|--|--------|
| Capital Telephone Company.....           | \$6 00 |
| H. A. Swift Ice Company.....             | 1 95   |
| G. A. Fischer.....                       | 4 50   |
| Missouri & Kansas Telephone Company..... | 52 55  |
| Geo. F. Robinson (stamps).....           | 40 00  |
| Jno. L. Moore, janitor (3 months).....   | 75 00  |
| Kate Gordon, clerk (3 months).....       | 180 00 |
| Postal Telegraph-Cable Co.....           | 7 51   |
| Western Union Telegraph Co.....          | 18 82  |
| Semper Clock Co.....                     | 30 00  |

Total ..... \$416 33

Eighteen. To pay balance due on accounts, expenses or salaries

of the following, the sum of six hundred and fifty-one dollars and twenty cents (\$651.20), as follows:

|  |         |
|--|---------|
| H. C. Clark, National Guard, postage.....            | \$18 00 |
| Clarence E. Sommer, janitor, National Guard.....     | 25 00   |
| R. E. See, Marshal Supreme Court.....                | 56 30   |
| Jas. T. Noland, marshal Kansas Court of Appeals..... | 308 00  |
| Gallatin Craig, judge 4th circuit.....               | 100 24  |
| Henry L. McClure, special judge 16th circuit.....    | 5 90    |
| E. J. Broadus, judge 7th circuit.....                | 18 30   |
| Geo. D. Barnard, stationery Secretary of State.....  | 65 65   |
| Leo Gallaher, acting Geologist.....                  | 53 81   |

Total ..... \$651 20

Nineteenth. To pay W. N. Moore, rent..... 210 00

Twentieth. Fifty-one dollars and sixty-five cents to pay the expenses of Dr. H. W. Westover for attending the investigation of the asylum at Fulton in the year 1899.

|                         |         |
|-------------------------|---------|
| Mileage .....           | \$24 85 |
| Per diem, two days..... | 3 00    |
| Mileage, 446 miles..... | \$22 30 |
| Per diem, one day.....  | 1 50    |

Total ..... \$51 65.

Read first and second times and agreed to.

The rules were suspended.

House bill No. 418, as amended, entitled

An act to appropriate money to pay the deficiencies in the expenses of the State government for the years 1899 and 1900, with emergency clause.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Drabelle, | Orchard,    | Sullivan,  |
| Bradley, | Fields,   | Ramp,       | Tandy,     |
| Clarke,  | Haynes,   | Rubey,      | Thomas,    |
| Clay,    | Jewell,   | Schoenlaub, | Whaley,    |
| Davison, | Martin,   | Smith,      | Zevely—23. |
| Dowell,  | Matthews, | Stubbs,     |            |

NAYS—None.

Absent with leave—Senators

|           |          |           |           |
|-----------|----------|-----------|-----------|
| Collins,  | Heather, | Marshall, | Rollins,  |
| Costello, | Lee,     | Morton,   | Walker—9. |
| Farris,   |          |           |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Orchard,    | Stubbs,    |
| Bradley,  | Haynes,   | Ramp,       | Sullivan,  |
| Clarke,   | Heather,  | Rollins,    | Tandy,     |
| Clay,     | Jewell,   | Rubey,      | Thomas,    |
| Davison,  | Martin,   | Schoenlaub, | Whaley,    |
| Dowell,   | Matthews, | Smith,      | Zevely—25. |
| Drabelle, |           |             |            |

NAYS—None.

Absent with leave—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Collins,  | Farris, | Marshall, | Walker—7. |
| Costello, | Lee,    | Morton,   |           |

Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Rubey moved to reconsider the vote by which the bill and emergency clause passed.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 609, with committee amendments, was taken up.  
Senate amendments to House bill No. 609.

(All amendments apply to printed copy.)

Amendment No. 1:

Amend section 8 as follows: by striking out in line 3 the words and figures "one thousand dollars (\$1,000,)" and inserting in lieu thereof the words and figures "sixteen hundred dollars (\$1,600);" by striking out in line 6 the words and figures "two thousand dollars (\$2,000)," and inserting in lieu the words and figures "four thousand dollars (\$4,000);" by striking out in lines 6 and 7 the words and figures "three thousand dollars (\$3,000)," and inserting in lieu the words and figures "five thousand six hundred dollars (\$5,600);"

Read first and second times and agreed to.

Amendment No. 2:

Amend section 9 by striking out the same and inserting in lieu the following:

Sec. 9. For the contingent expenses of the office of Adjutant-General, including postage, expressage, telegraphing, and pay of typewriter, three thousand dollars (\$3,000), five hundred of which shall be used to pay janitor.

Read first and second times and agreed to.

Amendment No. 3:

Amend House bill No. 609, section 12, by striking out the words and figures "three thousand five hundred dollars," in lines two and three of said section, and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000);" also by striking out the words "thirteen thousand three hundred dollars (\$13,300)," in lines nine and ten of said section, and inserting in lieu thereof the words and figures "fourteen thousand eight hundred dollars (\$14,800)," fifteen hundred of which is to be used for employment of a stenographer;

Read first and second times and agreed to.

Amendment No. 4:

Amend section 14 as follows: by striking out all after the semi-colon, in line 7, and inserting in lieu thereof "repairs and furnishings of mansion, two thousand five hundred dollars (\$2,500); in all, eight thousand six hundred dollars (\$8,600);"

Read first and second times and agreed to.

Senate amendment No. 5 to House bill No. 609:

Amend by inserting the words "or building," after the word "additions," in line 4 of section 20;

Read first and second times and agreed to.

Senate amendment No. 6 to House bill No. 609:

Amend House bill No. 609 as follows: striking out in line 18, section 21, the words and figures "four thousand dollars (\$4,000)," and insert the words and figures "five thousand dollars (\$5,000);"

Read first and second times and agreed to.

Senate amendment No. 7:

Amend House bill No. 609 as follows: Strike out in line 21, section 21, the words and figures "forty-one (41)," and insert the words and figures "forty-two (42);"

Read first and second times and agreed to.

Senate amendment No. 8 to House bill No. 609:

Amend section 22 of House bill 609 by striking out the words "six thousand dollars" and the figures "\$6,000," in line 2, and insert in lieu thereof the words and figures "twelve thousand dollars (\$12,000);"

Read first and second times and agreed to.

## Amendment No. 9:

Amend section 24, as follows: By striking out in line 4 the words and figures "ten thousand dollars (\$10,000)," and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000);"

Read first and second times and agreed to.

## Amendment No. 10:

Amend section 25, as follows: By adding thereto the words and figures "of which not to exceed one-half shall be expended in any one year;"

Read first and second times and agreed to.

## Amendment No. 11:

Amend House bill No. 609 by striking out all of section 26 and inserting in lieu thereof the following:

Sec. 26. For the support of the State Board of Health, including salary of the secretary, rent, fuel, clerk hire, and collecting and recording vital and mortuary statistics, \$5,000, and for eradicating small-pox, \$10,000, as pledged by joint resolution of the Forty-first General Assembly.

Read first and second times, and agreed to.

## Amendment No. 12 to House bill No. 609:

Amend section 27 by striking out the words and figures "twenty thousand dollars (\$20,000)," in lines 4 and 5, and insert in lieu thereof the words and figures "thirty thousand dollars (\$30,000);"

## Senate substitute for amendment No. 13:

Amend by striking out section 31 and insert the following:

Sec. 31. There is hereby appropriated out of the State treasury chargeable to the Insurance Department fund, for the years 1901 and 1902, for pay of the salary of the Superintendent, six thousand dollars (\$6,000); for the pay of the salary of the Deputy Superintendent, four thousand dollars (\$4,000); for actual services, clerk hire, including pay for one clerk, at a salary not to exceed twelve hundred dollars (\$1,200) per annum, as a result of the approval of an act placing the fraternal insurance companies under the supervision of the Insurance Department, stationery, fuel, postage, printing and for such other things as may be necessary for the transaction of the business of said department, (except the expenses of examination, valuation or proceedings against any company for winding up, dissolving or settling the affairs of any insurance company), the sum of twenty-five thousand dollars (\$25,000); for costs of litigation and expenses of collecting delinquent taxes and fees and costs and expenses of the Attorney-General in looking after the business of the Insurance Department, one thousand dollars (\$1,000); in all, thirty-six thousand dollars (\$36,000). The sums herein appropriated shall be paid out of the fees and earning of the Department of Insurance and the receipts of said office. The receipts of the Insurance Department shall be paid into the State treasury monthly, not later than the fifth day of each month, and paid out only on the warrant of the State Auditor, which shall be drawn only upon the requisition of the Superintendent of Insurance, duly made out and approved by him, stating specifically the purpose for which the money is to be applied.

Read first and second times and agreed to.

## Amendment No. 14:

Amend section 33 as follows: by striking out all after the word inspector, in line 11, and inserting in lieu thereof "including additional inspectors if necessary, the sum of thirty-two thousand dollars (\$32,000): Provided, that five thousand dollars out of this appropriation may be used in the discretion of the Governor for the payment of fees of special counsel for legal services in sustaining and enforcing the provisions of the beer inspection law, and the same shall be disbursed upon vouchers approved by the Governor; in all, fifty thousand dollars (\$50,000);"

Read first and second times and agreed to.

## Amendment No. 15:

Amend section 36 as follows: by striking out in line 7 the words and figures "eight thousand dollars (\$8,000)," and inserting in lieu thereof the words and figures "fourteen thousand dollars (\$14,000);"

Read first and second times and agreed to.

## Amendment No. 16:

Amend by adding a new section, to be known as section 48a, as follows:

Sec. 48a. There is hereby appropriated the sum of three thousand dollars for the use and benefit of S. S. Laws, being the amount expended by him on the real estate of the State of Missouri at Columbia, and the Auditor of the State is hereby directed to draw his warrant on the Treasurer for the said sum in favor of said S. S. Laws.

Read first and second times and agreed to.

## Amendment No. 17:

Amend by adding following new section:

Sec. 49. There is hereby appropriated the sum of five thousand dollars (\$5,000) or so much thereof as shall be necessary to carry out the provisions of an act creating a State Board of Mediation and Arbitration, approved March 9th, 1901.

Read first and second times and agreed to.

## Senate amendment No. 18 to House bill No. 609:

Amend House bill No. 609 by adding thereto a new section, to be known as section 50, to read as follows:

Section 50. There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of fifteen thousand dollars, to be drawn from time to time as may be necessary, upon proper vouchers to be approved by the Governor, and which sum shall be expended for all necessary traveling expenses, costs of litigation, gathering and compiling testimony, for the service of experts in bacteriology and chemical analysis, if necessary, and in any other proper and necessary manner to protect the interests of the State and prosecute the litigation in the case of the State of Missouri, complainant, against the State of Illinois and the sanitary district of Chicago, defendant, pending in the Supreme Court of the United States: Provided, the City of St. Louis shall appropriate, set apart, and expend a sum equal to the above amount to assist the State of Missouri in prosecuting said suit.

Read first and second times and agreed to.

## Amendment No. 19:

Amend by adding the following new section:

Sec. 51. For salary of the State Superintendent of Immigration two thousand dollars (\$2,000) and for the necessary expenses in printing, advertising and other contingent expenses the sum of two thousand dollars (\$2,000); in all, four thousand dollars (\$4,000).

Read first and second times and agreed to.

Amendment No. 20 was taken up and laid over informally.

## Amendment No. 21:

Amend section 27, House bill No. 609, by adding to said section the following: "Provided, that seven thousand five hundred dollars of the thirty thousand herein appropriated shall be used solely for the purpose of corps drilling: Provided, that the drilling shall be done when deemed advisable by the State Geologists in counties when one-half the cost of sinking drill in one place in any county shall be paid by private subscription by citizen or citizens of such county;

Read first and second times and agreed to.

## Amendment No. 22:

Amend House bill No. 609 by striking out all of section 45 thereof; Was read and lost by the following vote:

## YEAS—Senators

|                 |                      |          |             |
|-----------------|----------------------|----------|-------------|
| Biggs,<br>Clay, | Costello,<br>Fields, | Heather, | Marshall—6. |
|-----------------|----------------------|----------|-------------|

## NAYS—Senators,

|   |   |   |   |
|---|---|---|---|
| Bradley,<br>Clarke,<br>Davisson,<br>Dowell,<br>Drabelle,<br>Farris, | Haynes,<br>Jewell,<br>Lee,<br>Martin,<br>Matthews,<br>Morton, | Orchard,<br>Ramp,<br>Rollins,<br>Rubeys,<br>Schoenlaub, | Sullivan,<br>Tandy,<br>Thomas,<br>Whaley,<br>Zevely—22. |
|---|---|---|---|

## Absent with leave—Senators

|                                    |        |         |           |
|------------------------------------|--------|---------|-----------|
| Collins,<br>Sick—Senator Cooper—1. | Smith, | Stubbs, | Walker—4. |
|------------------------------------|--------|---------|-----------|

## Senate amendment No. 20:

Amend House bill No. 609 by adding thereto 4 new sections, to be known as sections 52, 53, 54 and 55, and to read as follows:

Sec. 52. That the sum of one hundred and eighteen thousand dollars (\$118,000) be, and the same is hereby appropriated out of any money in the treasury, not otherwise appropriated to purchase or condemn and improve all the property lying between the Governor's mansion and the eastern boundary line of the present capitol grounds and between Main and Water streets, in the City of Jefferson.

Sec. 53. That the Governor, Secretary of State, and Attorney-General be, and they are hereby created a commission whose duty it shall be to purchase said grounds at, in their judgment, its reasonable value not exceeding the amount herein appropriated, and to take deeds therefor with valid title in the name of the State of Missouri.

Sec. 54. If said commissioners shall from any cause fail to purchase said grounds, or any portion of it, then it shall be the duty of the Attorney-General to prosecute suits in the name of the State of Missouri in the circuit court of Cole county under the general provisions of the Constitution and laws of this State for condemnation of private property to condemn the aforesaid property for public use, and to pay for the same out of the money appropriated in this act.

Sec. 55. Said commissioners are hereby authorized and directed to lay out and improve said grounds for park purposes in the manner, as to them may seem best for the use and benefit of the State of Missouri.

Read first and second times and adopted by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Clarke,   | Jewell,   | Ramp,     | Thomas,    |
| Davissou, | Matthews, | Rollins,  | Whaley,    |
| Drabelle, | Morton,   | Sullivan, | Zevely—15. |
| Haynes,   | Orchard,  | Tandy,    |            |

## NAYS—Senators,

|          |           |           |            |
|----------|-----------|-----------|------------|
| Biggs,   | Costello, | Fields,   | Rubey,     |
| Bradley, | Dowell,   | Heather,  | Stubbs—11. |
| Clay,    | Farris,   | Marshall, |            |

## Absent with leave—Senators

|          |             |        |           |
|----------|-------------|--------|-----------|
| Collins, | Martin,     | Smith, | Walker—6. |
| Lee,     | Schoenlaub, |        |           |

## Sick—Senator Cooper—1.

The rules were suspended.

House bill No. 609, as amended, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |         |           |            |
|-----------|---------|-----------|------------|
| Bradley,  | Fields, | Matthews, | Sullivan,  |
| Clarke,   | Haynes, | Morton,   | Tandy,     |
| Clay,     | Jewell, | Orchard,  | Thomas,    |
| Davissou, | Lee,    | Rubey,    | Whaley,    |
| Drabelle, | Martin, | Smith,    | Zevely—21. |
| Farris,   |         |           |            |

## NAYS—None.

|         |           |          |           |
|---------|-----------|----------|-----------|
| Biggs,  | Heather,  | Ramp,    | Stubbs—7. |
| Dowell, | Marshall, | Rollins, |           |

## Absent with leave—Senators

|          |           |             |           |
|----------|-----------|-------------|-----------|
| Collins, | Costello, | Schoenlaub, | Walker—4. |
|----------|-----------|-------------|-----------|

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rubey moved to reconsider the vote by which the bill passed.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities;

Also, Senate bill No. 204, entitled

An act to prohibit the discharge into open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred and fifty thousand inhabitants; to declare the discharge into open air of dense smoke within the corporate limits of such cities a public nuisance; and to provide penalties for the violation and enforcement hereof, with amendments 1 and 3,

Which were read.

House bill No. 282, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 13, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, the following bills:

Senate bill No. 37, entitled "An act to create an additional division in and for the Circuit Court of the Sixteenth Judicial circuit, in Jackson county, for the appointment and election of an additional judge of said Circuit Court, for the numbering, arranging and apportionment of cases filed in said court, and to empower the judges of said court to make rules of court for the numbering, distribution and transfer of cases therein among the divisions of said Circuit Court, and to make rules for other purposes; to provide for the holding court in any division of said court when the judge thereof shall be unable to hold the same, and to provide for the transfer of cases between the court at Independence and Kansas City, with an emergency clause."

Also Senate bill No. 16, entitled "An act to repeal section 2482, chapter 16, article 3, Revised Statutes of 1899, and to enact a new section in lieu thereof."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

The President announced the appointment of Senators Morton, Drabbe and Jewell as conference committee on House bill No. 615.

The President announced the appointment of Senators Whaley, Zevely and Smith as conference committee on House bill No. 40.

Senator Whaley, from the Committee on Eleemosynary Institutions and Public Health, submitted the following report:

Mr. President: Your Committee on Eleemosynary Institutions and Public Health, to which was referred House bill No. 282, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The President called Senator Haynes to the chair.

House bill No. 469, entitled

An act to repeal section 10105, article 1, chapter 162 of Revised Statutes of Missouri, 1899, entitled "Stenographers in cities and counties having three hundred and fifty thousand or more inhabitants," and to enact a new section in lieu thereof, to be known as section 10105,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Martin,   | Stubbs,    |
| Bradley,  | Fields,   | Matthews, | Sullivan.  |
| Clarke,   | Haynes,   | Morton,   | Tandy,     |
| Clay,     | Jewell,   | Orchard,  | Thomas,    |
| Costello, | Lee,      | Ramp,     | Whaley—23. |
| Dowell,   | Marshall, | Rubey,    |            |

## NAYS—Senators

|          |          |
|----------|----------|
| Rollins, | Smith—2. |
|----------|----------|

## Absent with leave—Senators

|          |          |             |           |
|----------|----------|-------------|-----------|
| Collins, | Farris,  | Schoenlaub, | Zevely—7. |
| Davison, | Heather, | Walker,     |           |

Sick—Senator Cooper—1.

The emergency clause not adopted by the following vote:

## YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Drabelle, | Martin,  | Tandy,     |
| Bradley,  | Fields,   | Morton,  | Thomas,    |
| Clay,     | Haynes,   | Orchard, | Whaley,    |
| Costello, | Lee,      | Rubey,   | Zevely—19. |
| Dowell,   | Marshall, | Stubbs,  |            |

## NAYS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Jewell,   | Ramp,    | Smith,      |
| Davison, | Matthews, | Rollins, | Sullivan—8. |

## Absent with leave—Senators

|          |          |             |           |
|----------|----------|-------------|-----------|
| Collins, | Heather, | Schoenlaub, | Walker—5. |
| Farris,  |          |             |           |

Sick—Senator Cooper—1.

Senator Drabelle moved that the vote by which the emergency clause to House bill No. 469 was lost be reconsidered.

Senator Smith moved to lay that motion on the table.

Roll call demanded.

The motion was lost by the following vote:

## YEAS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Jewell,   | Ramp,    | Smith,      |
| Davison, | Matthews, | Rollins, | Sullivan—8. |

## NAYS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Lee,      | Schoenlaub, |
| Bradley,  | Farris,   | Marshall, | Tandy,      |
| Clay,     | Fields,   | Martin,   | Thomas,     |
| Costello, | Haynes,   | Morton,   | Whaley,     |
| Dowell,   | Heather,  | Rubey,    | Zevely—20.  |

## Absent with leave—Senators

|                        |          |         |          |
|------------------------|----------|---------|----------|
| Collins,               | Orchard, | Stubbs, | Walker—4 |
| Sick—Senator Cooper—1. |          |         |          |

The question recurring on motion to reconsider.

Roll call demanded.

The motion to reconsider prevailed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Martin,     | Stubbs,    |
| Bradley,  | Fields,   | Morton,     | Tandy,     |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Whaley,    |
| Dowell,   | Lee,      | Schoenlaub, | Zevely—22. |
| Drabelle, | Marshall, |             |            |

## NAYS—Senators

|          |           |          |             |
|----------|-----------|----------|-------------|
| Clarke,  | Jewell,   | Ramp,    | Smith,      |
| Davison, | Matthews, | Rollins, | Sullivan—8. |

## Absent with leave—Senators

|          |           |
|----------|-----------|
| Collins, | Walker—2. |
|----------|-----------|

Sick—Senator Cooper—1.

The question being, shall the emergency clause be adopted?

The emergency clause was not adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Martin,     | Stubbs,    |
| Bradley,  | Fields,   | Morton,     | Tandy,     |
| Clay,     | Haynes,   | Orchard,    | Thomas,    |
| Costello, | Heather,  | Rubey,      | Whaley,    |
| Dowell,   | Lee,      | Schoenlaub, | Zevely—22. |
| Drabelle, | Marshall, |             |            |

## NAYS—Senators

|                            |                    |                    |             |
|----------------------------|--------------------|--------------------|-------------|
| Clarke,<br>Jewell,         | Matthews,<br>Ramp, | Rollins,<br>Smith, | Sullivan—7. |
| Absent with leave—Senators |                    |                    |             |
| Collins,                   | Davisson,          | Walker—3.          |             |
| Sick—Senator Cooper—1.     |                    |                    |             |

The title to the bill was read and agreed to .

Senator Drabelle moved to reconsider the vote by which the bill passed.

Senator Rubey moved to lay that motion on the table:

The latter motion prevailed.

Senator Biggs called up House bill No. 277, entitled

An act to repeal the article beginning on page 2585 and ending on page 2589 of volume 2, Revised Statutes of Missouri, 1899, entitled "Sturgeon Court of Common Pleas," and to abolish said court and transfer all records and papers of said court to the clerk of the circuit court of Boone county,

And moved that the Senate recede from the amendment to the bill.

Roll call demanded.

Result of roll call is as follows:

## YEAS—Senators

|   |   |                                |                                 |
|---|---|--------------------------------|---------------------------------|
| Biggs,<br>Clarke,<br>Clay,<br>Davisson, | Dowell,<br>Drabelle,<br>Heather,<br>Jewell, | Lee,<br>Martin,<br>Schoenlaub, | Tandy,<br>Thomas,<br>Whaley—14. |
|---|---|--------------------------------|---------------------------------|

## NAYS—Senators

|                                 |                                  |                  |                         |
|---------------------------------|----------------------------------|------------------|-------------------------|
| Costello,<br>Farris,<br>Haynes, | Matthews,<br>Morton,<br>Orchard, | Rubey,<br>Smith, | Sullivan,<br>Zevely—10. |
|---------------------------------|----------------------------------|------------------|-------------------------|

Sick—Senator Cooper—1.

Absent with leave—Senators

|                      |                      |                   |                      |
|----------------------|----------------------|-------------------|----------------------|
| Bradley,<br>Collins, | Fields,<br>Marshall, | Ramp,<br>Rollins, | Stubbs,<br>Walker—8. |
|----------------------|----------------------|-------------------|----------------------|

Sick—Senator Cooper—1.

The President announced that the motion prevailed.

Senator Rubey made the point of order that it required a constitutional majority to recede from the amendment.

The President announced that he would take the matter under advisement until tomorrow.

The following communications were received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 13, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, Senate joint and concurrent resolution No. 12, entitled "Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof, concerning taxation."

Under the provisions of section 14, article 9 of the Constitution, it is not necessary for resolutions amending the Constitution to be presented to the Governor.

Respectfully,

A. M. DOCKERY, Governor.

Executive Department, State of Missouri, }  
Jefferson City, March 13, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 15, entitled "An act to amend section 2478, chapter 16, article 3, Revised Statutes, 1899, entitled 'Jurisdiction in felonies and misdemeanors—information in courts of record,' by striking out the word 'misdemeanor,' in the second line of said section and inserting in lieu thereof the word 'crime.'"

Respectfully,

A. M. DOCKERY, Governor.

Which were read.

Committee substitute for House bill No. 331, entitled

An act providing for the holding of primary elections in counties having over one hundred and seventy-five thousand inhabitants,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Stubbs,    |
| Bradley,  | Farris,   | Martin,     | Sullivan,  |
| Clarke,   | Fields,   | Morton,     | Tandy,     |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Costello, | Heather,  | Rollins,    | Whaley,    |
| Davisson, | Jewell,   | Rubey,      | Zevely—27. |
| Dowell,   | Lee,      | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

|           |          |        |           |
|-----------|----------|--------|-----------|
| Collins,  | Orchard, | Smith, | Walker—5. |
| Matthews, |          |        |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clarke moved that the vote by which committee substitute for House bill No. 331 was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

The seven following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State with House amendments Nos. 1 and 2;

Also, committee substitute for Senate bill No. 119, entitled

An act to provide for the appointment of a Factory Inspector and defining his term of service, salary, powers and duties;

Also, Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State, embracing cities that now have, or that may hereafter have 300,000 inhabitants or more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office;

Also, Senate bill No. 326, entitled

An act entitled an act to authorize boards of aldermen in cities of the fourth class depositories for, or to loan moneys in Sinking fund;"

Also Senate bill No. 185, entitled

An act to amend section three of an act entitled "An act to amend and reduce into one the several acts relating to Louisiana Court of Common Pleas, approved March 13, 1867," as contained in volume two of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b;

Also, Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4, chapter 91, relating to cities of the third class, of Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with emergency clause;

Also, Senate bill No. 286, entitled

An act to amend section 5968, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class;"

Which were read.

House joint and concurrent resolution No. 1 was taken up.

Senator Dowell offered the following amendment:

Senate amendment No. 1:

Amend House joint and concurrent resolution No. 1 by striking out the word "five," in 16th line of printed bill, and insert in lieu thereof the word "ten;"

Which was read.

House joint and concurrent resolution No. 1 and amendment was laid over informally.

Senator Davisson had the following telegram read:

March 13, 1901.

To P.-D. Correspondent, Jefferson City:  
General Harrison is dead.

P.-D.

Senator Davisson moved that the President appoint a committee of three to act with like committee from the House to draft resolutions on the death of Gen. Harrison.

The motion prevailed.

House bill No. 622, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 13, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 68, entitled "An act to provide for the registration of voters for primary purposes in all cities in this State which now have, or which may hereafter have, over 300,000 inhabitants; governing primary election therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses, and prescribing penalties for violating the provisions of this act."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 259, entitled

An act to repeal section 6168 of article 9, chapter 91 of the Revised Statutes of Missouri, 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof, with House amendments Nos. 1, 2 and 3;

Which was read.

House bill No. 288, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words,

Was taken up, read second time, and referred to Committee on Education, Text-Books and Public Schools.

Committee substitute for House bill No. 5, entitled

An act authorizing the appointment of a commission to ascertain and determine the positions of Missouri troops in the siege and defense of Vicksburg, and to make an appropriation to pay the necessary traveling expenses of said commission,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 249, entitled

An act to appropriate the county foreign insurance tax fund for the years 1899 and 1900, and for the years 1901 and 1902, and distribute the same as provided in section 8047, chapter 119, article 8, Revised Statutes of 1899,

Was taken up, read second time, and referred to Committee on Appropriations.

House bill No. 260, entitled

An act to provide for the incorporation, management and regulation of societies authorized to make loans upon pledges, and limiting the rate of compensation to be paid for advances, storage and insurance on pledges, and to allow the loaning of money upon personal property,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 265, entitled

An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations,

Was taken up, read second time, and referred to Committee on Private Corporations.

House bill No. 416, entitled

An act to amend article 1, chapter 47 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 4227a,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 439, entitled

An act fixing the times for holding court in the Thirteenth judicial circuit,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 440, entitled

An act to provide protection to mechanics and other persons for labor performed and material furnished for the repair of personal property, and to secure the same by a lien,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 458, entitled

An act to provide for the taxation of telephone companies,

Was taken up, read second time, and referred to Committee on Private Corporations.

House bill No. 514, entitled

An act to amend article 18 of chapter 12, Revised Statutes of Mis-

souri, 1899, regulating charges of express companies, by adding to said article 18 a new section, to be known as section 1522a, regulating the method of company, distances of express matter carried,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 531, entitled

An act to amend article 3 of chapter 15 of the Revised Statutes of Missouri, 1899, relating to offenses against public and private property, by adding a new section thereto, to be known as section 1887a,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 534, entitled

An act establishing in the University of the State of Missouri a chair of dairy husbandry; authorizing and directing the Board of Curators of the University to appoint a professor of dairy husbandry; designating the duties of the professor of dairy husbandry; appropriating money therefor,

Was taken up, read second time, and referred to Committee on University and Normal Schools.

House bill No. 537, entitled

An act to amend section 8095, chapter 119, article 11 of the Revised Statutes of Missouri, 1899, relating to insurance,

Was taken up, read second time, and referred to Committee on Fire, Marine and Tornado Insurance.

House bill No. 557, entitled

An act to amend chapter 22, article 1 of the Revised Statutes of 1899, by adding a new section thereto, to be known as section 3018a, relating to dramshop licenses, criminal cases, proceedings upon indictment or information for the illegal sale of intoxicating liquors; an act providing that in prosecutions under the dramshop act for selling intoxicating liquor it shall be no defense for the defendant to show that he was doing business under a merchant's license or that he was a registered pharmacist, or the proprietor of a drug store,

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 560, entitled

An act to amend sections 4867 and 4873 of article 1, chapter 72, Revised Statutes of Missouri, 1899, entitled "Asylums," and relating to officers, patients, etc.,

Was taken up, read second time, and referred to Committee on Eleemosynary Institutions and Public Health.

House bill No. 574, entitled

An act to repeal section 4206, article 1, chapter 47, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 4206, relating to mechanics' liens,

Was taken up, read second time, and referred to Committee on Judiciary.

House bill No. 606, entitled

An act to amend section 5927 of article 5, chapter 91 of the Revised Statutes of Missouri of 1899, relating to "warrants, how served,"

Was taken up, read second time, and referred to Committee on Criminal Jurisprudence.

House bill No. 378, entitled

An act to amend section 1195, article 4, chapter 12 of the Revised Statutes of the State of Missouri, 1899, entitled "Railroad classification, charges, commissioners," by inserting therein certain words,

Was taken up, read second time, and referred to Committee on Railroads and Internal Improvements.

House bill No. 580, entitled

An act to amend section 7132 of article 4, chapter 102 of the Revised Statutes of Missouri, 1899, relating to primary elections in cities of 100,000 inhabitants or over,

Was taken up, read second time, and referred to Committee on Privileges and Elections.

House bill No. 375 was taken up.

Senator Thomas offered the following amendments:

Amendment No. 1:

Amend House bill No. 375 by striking out the words "general election," in line three, section 10, and insert in lieu thereof the words "school election for election of school directors;"

Read first and second times and agreed to.

Amendment No. 2:

Amend House bill No. 375 by adding a new section thereto, to be known as section 11, and to read as follows:

Sec. 11. School elections being held in April of each year creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

Read first and second times and agreed to.

Senator Zevely offered the following amendment:

Amendment No. 3:

Amend House bill No. 375 by adding after last word in section 11, the following: "This act shall not apply to counties having less than twenty-five thousand inhabitants;"

Which was read.

Bill and pending amendments on motion of Senator Thomas were made a special order for 11 a. m. to tomorrow.

Senate bill No. 331, entitled

An act to authorize the Governor to compromise and settle all inspection fees under the act approved May 4th, 1899, known as the "Beer Inspection law," that accrue prior to March 20, 1901, and to remit all fines and forfeitures incurred under this act prior to this date by parties who shall comply with its terms and provisions, and to bar all prosecutions against such parties not now pending,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Was taken up, read second time, and referred to Committee on Ways and Means.

Senator Rubey moved that House bills Nos. 13 and 367 be made a special order for 10:30 a. m. tomorrow.

The motion prevailed.

House bill No. 290, entitled

An act to perpetuate and preserve evidence explaining defects in the chain of title to real estate,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |               |            |
|-----------|-----------|---------------|------------|
| Biggs,    | Dowell,   | Morton,       | Stubbs,    |
| Bradley,  | Jewell,   | Orchard,      | Sullivan,  |
| Clarke,   | Lee,      | Rollins,      | Thomas,    |
| Clay,     | Marshall, | Rubey,        | Whaley,    |
| Costello, | Martin,   | Schoenlaub—4. | Zevely—22. |
| Davisson, | Matthews, |               |            |

NAYS—None.

Absent with leave—Senators

|           |          |        |            |
|-----------|----------|--------|------------|
| Collins,  | Fields,  | Ramp,  | Tandy,     |
| Drabelle, | Haynes,  | Smith, | Walker—10. |
| Farris,   | Heather, |        |            |

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Dowell moved that the vote by which House bill No. 290 was passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senator Thomas, from the Committee on Education, submitted the two following reports:

Mr. President: Your Committee on Education, to which was referred House bill No. 236, entitled

An act to encourage the establishment of school libraries and to secure for them good books at least cost,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Education, to which was referred committee substitute to House bills Nos. 153 and 518, entitled

An act to repeal sections 9844, 9845 and 9847 of article 1 of chapter 154 of the Revised Statutes of 1899, entitled "Public schools," and to enact new sections in lieu thereof, to be known as sections 9844, 9845 and 9847, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Farris moved that when the Senate adjourn it adjourn under the rules.

The motion prevailed.

House bill No. 237, entitled

An act to make "Carleton's Abstracts" abstracts of land title in Pemiscot county, or certified copies of the entries therein, evidence in all courts and places in this State,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Matthews,   | Smith,     |
| Bradley,  | Haynes,   | Morton,     | Stubbs,    |
| Clarke,   | Heather,  | Orchard,    | Sullivan,  |
| Davisson, | Jewell,   | Ramp,       | Thomas,    |
| Dowell,   | Lee,      | Rollins,    | Whaley,    |
| Drabelle, | Marshall, | Rubey,      | Zevely—27. |
| Farris,   | Martin,   | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senators

Clay,  
Collins,

Costello,

Tandy,

Walker—5.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill passed be reconsidered.

Senator Marshall moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes, from the Committee on Judiciary, submitted the three following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 398, entitled

An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deeds of trust, or other contracts liens securing a debt, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 144, entitled

An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 143, entitled

An act in relation to the Twenty-fifth judicial circuit, dividing the court into two divisions, providing two judges for the transaction of the business of said court, for the appointment of an additional judge, and fixing the salaries of said judges,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

On motion of Senator Davisson, Senate took a recess until 7:30 p. m.

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## NIGHT SESSION.

The President called the Senate to order at 7:30 p. m.

The President announced the following committee on resolution on the death of the Ex-President of the United States, Benjamin Harrison:

Senators Davisson, Fields and Sullivan.

House bill No. 285, entitled

An act giving the heirs, legal representatives and persons dependent for support upon anyone whose death results from the carelessness or negligence of another person or corporation,

Was taken up, read second time, and referred to Committee on Judiciary.

Senate enrolled committee substitute for Senate bill No. 102, entitled

An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled "Fees,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The substitute was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 236, entitled

An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 85, entitled

An act to enable cities of the fourth class to issue bonds for the purposes of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds, and for the levying of tax therefor, and declaring an emergency,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Martin, from the Committee on Ways and Means, submitted the two following reports:

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 337, entitled

An act to authorize the Governor to compromise and settle all inspection fees under the act approved May 4th, 1899, known as the "Beer Inspection law," that accrue prior to March 20, 1901, and to

remit all fines and forfeitures incurred under this act prior to this date by patries who shall comply with its terms and provisions, and to bar all prosecutions against such parties not now pending,

Begs leave to report that it has examined the same and returns herewith a committee substitute and recommends that it do pass;

Mr. President: Your Committee on Ways and Means, to which was referred Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the following report:

Mr. President: Your Committee on Education, to which was referred House bill No. 288, entitled

An act amending section six thousand four hundred and sixty-nine of the Revised Statutes of 1899, relating to directors of public libraries,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

On motion of Senator Stubbs, the Senate adjourned until 10 a. m. tomorrow.

### FIFTY-THIRD DAY—Thursday, March 14, 1901.

The Senate met pursuant to adjournment.

President Pro tem. Farris in the chair.

A quorum present.

Prayer by Rev. Hill, Chaplain of the House of Representatives.

Journal of yesterday read and approved.

Senator Thomas called up House amendments to Senate bill No. 171 and moved that the Senate concur in amendments.

Amendment No. 1:

Amend Senate bill No. 171 by striking out the figures "1066," in line 7 of section 2 of the printed bill, and by inserting in lieu thereof the figures "1056,"

Amendment No. 2:

Amend Senate bill No. 171 by adding the following words at the end of section 1: Provided, that before any railroad company shall extend its lines or branches under the provisions of this act, it shall pay the same fees to the State as is now or may hereafter be provided for an original charter,

Were concurred in by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Dowell,  
Drabelle,

Farris,  
Fields,  
Haynes,  
Jewell,  
Lee,

Martin,  
Morton,  
Ramp,  
Stubbs,  
Sullivan,

Tandy,  
Thomas,  
Whaley,  
Zevely—19.

NAYS—None.

## Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clay,     | Heather,  | Orchard, | Schoenlaub, |
| Collins,  | Marshall, | Rollins, | Smith,      |
| Costello, | Matthews, | Rubey,   | Walker—13.  |
| Davison,  |           |          |             |

Sick—Senator Cooper—1.

Senate bill No. 171, as amended, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |         |           |            |
|-----------|---------|-----------|------------|
| Biggs,    | Farris, | Matthews, | Tandy,     |
| Bradley,  | Haynes, | Morton,   | Thomas,    |
| Clarke,   | Jewell, | Ramp,     | Whaley,    |
| Dowell,   | Lee,    | Stubbs,   | Zevely—19. |
| Drabelle, | Martin, | Sullivan, |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Clay,     | Fields,   | Orchard, | Schoenlaub, |
| Collins,  | Heather,  | Rollins, | Smith,      |
| Costello, | Marshall, | Rubey,   | Walker—13.  |
| Davison,  |           |          |             |

Sick—Senator Cooper—1.

The title to bill read and agreed to.

Senator Thomas moved to reconsider the vote by which the bill passed.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Rollins introduced Senate bill No. 339, entitled

An act to create sanitary districts in the State of Missouri;

Read first time and 150 copies ordered printed, and bill to have precedence in printing.

Senator Rubey, from the Committee on Appropriations, submitted the five following reports:

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 249, entitled

An act to appropriate the county foreign insurance tax fund for the years 1899 and 1900, and for the years 1901 and 1902, and distribute the same as provided in section 8047 of chapter 119, article 8, Revised Statutes, 1899,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 267, entitled

An act for the relief of Edward J. White and Mrs. Maud L. Stevenson, relating to claim on account of blankets furnished Missouri Militia,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 611, entitled

An act to appropriate the money accruing into the State fair fund to the State Board of Agriculture to be expended for establishment and maintenance of the Missouri State Fair,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred House bill No. 312, entitled

An act to reimburse J. G. Evans of Boone county, Missouri,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Appropriations, to which was referred committee substitute for House bill No. 5, entitled

An act authorizing the appointment of a commission to ascertain and determine the positions of Missouri troops to the siege and defense of Vicksburg, and to make an appropriation to pay the necessary traveling expenses of said commission,

Begs leave to report that it has examined the same and recommends that it do pass.

Which were read.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 276, entitled

An act providing for the registration of voters for primary purposes in all cities and counties in this State which now have or which may hereafter have over one hundred and fifty thousand inhabitants, governing primary elections therein; providing for the temporary organization of political conventions composed of delegates elected therein; the election of members of political committees; defining offenses and prescribing penalties for violating the provisions of this act,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

On motion of Senator Jewell, Senate bill No. 276 was indefinitely postponed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 127, entitled

An act to provide for primaries and conventions and for nominations to public offices in cities now containing, or which may hereafter contain 150,000 and less than 300,000 inhabitants, and in counties which now contain, or may hereafter contain such cities, and defining certain offenses and providing penalties therefor; to repeal section 7131 to 7145, both inclusive, and 7163 to 7170, both inclusive, and to amend sections 7275, 7278, 7281, 7287, 7289, 7290, 7294, 7295 and 7303 of the Revised Statutes of Missouri of 1899, and to repeal all other acts and parts of acts inconsistent with this act,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

On motion of Senator Bradley, Senate bill No. 127, was indefinitely postponed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 254, entitled

An act to create a Board of Election Commissioners in cities now having or which hereafter may have three hundred thousand inhabitants; to provide for the appointment of the same; to define duties of such board; to provide for the registration of all voters in such cities; to govern elections therein, defining offenses and providing for punishment thereof; prescribing penalties for violating the provisions of this act; and to repeal article 8, chapter 102 of the Revised Statutes of Missouri of 1899, entitled "Registration and elections in cities with three hundred thousand inhabitants or over,"

Begs leave to report that it has examined the same and recommends that it do not pass.

Which was read.

Senate bill No. 254 was taken up, and indefinitely postponed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the two following reports:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 277, entitled

An act to amend sections 7131, 7132, 7138, 7142 and 7144, in article 4, chapter 102 of the Revised Statutes of Missouri of 1899,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 218, entitled

An act to amend section 7090 and 7091 of chapter 102 of article 2 of the Revised Statutes of the State of Missouri of 1899, entitled "Elections," by providing for the designation of the newspapers in which the official ballot shall be published and the price that shall be allowed for the same, and making the State of Missouri responsible for one-half of the cost of the publication,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The following communications were received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 13, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, Senate Joint and Concurrent resolution No. 10, entitled "Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 12, article 10 of the Constitution of Missouri."

Under the provisions of section 14, article 5 of the Constitution, it is not necessary for resolutions amending the Constitution to be presented to the Governor.

Respectfully,

A. M. DOCKERY, Governor.

Executive Department, State of Missouri, }  
Jefferson City, March 13, 1901. }

To the President of the Senate:

I have the honor to return to the Senate with my approval indorsed thereon, the following bills:

Senate bill No. 125, entitled "An act in relation to the use of Missouri building stone in all public buildings in this State"

Senate bill No. 160, entitled "An act to prohibit the importation into this State by corporations or individuals of afflicted, indigent and vicious children, with an emergency clause."

Senate bill No. 14, entitled "An act to amend section 2476, chapter 16, article 3 of the Revised Statutes of 1899, by inserting between the words 'indictment' and 'except,' in the first line thereof, the words 'or information,' and by striking out the word 'provisions,' in the 15th line of said section, and inserting in lieu thereof the words, 'the last mentioned provision.'"

Senate bill No. 44, entitled "An act to amend section 1024, article 1 of chapter 12, Revised Statutes of Missouri, 1899, entitled 'corporations, private, organization, general powers, duties and liabilities, with incidental matter of practice,' by adding thereto a new section, to be known as section 1024a."

Respectfully,

A. M. DOCKERY, Governor.

Senator Fields, from the Committee on Fire, Marine and Tornado Insurance, submitted the two following reports:

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred Senate bill No. 56, entitled

An act to establish the office of Fire Marshal of the State of Missouri,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Fire, Marine and Tornado Insurance, to which was referred House bill No. 537, entitled

An act to amend section 8095, chapter 119, article 11 of the Revised Statutes of Missouri, 1899, relating to insurance,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Senator Whaley, from the Committee on Railroads and Internal Improvements, submitted the following report:

Mr. President: Your Committee on Railroads and Internal Improvements, to which was referred House bill No. 622, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri,

Begs leave to report that it has examined the same and recommends that it do pass.

Which was read.

On motion of Senator Zevely the rules were suspended and House bill No. 622 was taken up.

House bill No. 622, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Drabelle, | Martin,   | Stubbs,    |
| Bradley,  | Farris,   | Matthews, | Sullivan,  |
| Clarke,   | Fields,   | Morton,   | Tandy,     |
| Clay,     | Haynes,   | Ramp,     | Thomas,    |
| Davisson, | Jewell,   | Rubey,    | Whaley,    |
| Dowell,   | Marshall, | Smith,    | Zevely—24. |

NAYS—None.

Absent with leave—Senators

|           |          |          |             |
|-----------|----------|----------|-------------|
| Collins,  | Heather, | Orchard, | Schoenlaub, |
| Costello, | Lee,     | Rollins, | Walker—8.   |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Zevely moved that the vote by which the bill passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton, from the Conference Committee, submitted the following report:

Mr. President: Your Committee on Conference, acting with a like committee on part of the House, to whom was referred the differences between the Senate and the House on Senate amendments Nos. 1, 2, 3, 4, 5, to House bill No. 615 begs leave to

report that they have carefully considered the same and recommend that the House concur in said Senate amendments Nos. 1, 2, 3, 4 and 5. All of which is respectfully submitted.

JNO. F. MORTON,  
JOHN W. DRABELLE,  
J. L. JEWELL,  
On Part of Senate.  
W. H. LOCKER,  
C. J. COLDEN,  
CHAS. H. GROOM,  
On Part of House.

Which was read and adopted by the following vote:

YEAS—Senators

|            |           |           |            |
|------------|-----------|-----------|------------|
| Biggs,     | Drabelle, | Matthews, | Sullivan,  |
| Bradley,   | Farris,   | Morton,   | Tandy,     |
| Clarke,    | Fields,   | Ramp,     | Thomas,    |
| Clay,      | Haynes,   | Rubey,    | Whaley,    |
| Davission, | Marshall, | Stubbs,   | Zevely—22. |
| Dowell,    | Martin,   |           |            |

NAYS—Senators

Rollins, Smith—2.

Absent with leave—Senators

|           |          |          |             |
|-----------|----------|----------|-------------|
| Collins,  | Heather, | Lee,     | Schoenlaub, |
| Costello, | Jewell,  | Orchard, | Walker—8.   |

Sick—Senator Cooper—1.

Senator Haynes, from the Committee on Judiciary, submitted the following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 260, entitled

An act to provide for incorporation, regulation, management of societies authorized to make loans upon pledges, and limiting the rates of compensation to be paid for advances, storage and insurance on pledges, and to allow the loaning of money on personal property,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 198, entitled

An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of courts and to provide for the election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots and to provide for the payment of such bonds, and for levying of a tax therefor declaring an emergency,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 554, entitled

An act to amend section 9831, chapter 154, article 1, Revised Statutes of Missouri, entitled "Schools, regulating the investment of school moneys,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 210, entitled

An act to amend section 1719 of article 3, chapter 14, Revised Statutes of 1899, entitled "Courts of record,"

Begs leave to report that it has examined the same and recommends that it be indefinitely postponed;

Which were read.

On motion of Senator Haynes, Senate bill No. 210 was indefinitely postponed.

Senator Haynes, from the Committee on Judiciary, submitted the following report:

Mr. President: Your Committee on Judiciary, to which was referred Senate bill No. 158, entitled

An act to amend section 4358, chapter 52, Revised Statutes, 1899, entitled "Mortgages and deeds of trust," by adding certain words thereto pertaining to the acknowledgment of satisfaction and release of mortgages and deeds of trust when notes are paid and lost or destroyed,

Begs leave to report that it has examined the same and recommends that it be indefinitely postponed;

Which was read.

On motion of Senator Haynes, Senate bill No. 158 was indefinitely postponed.

Senator Haynes, from the Committee on Judiciary, submitted the six following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 531, entitled

An act to amend article 8, chapter 12, Revised Statutes of Missouri, 1899, regulating charges of express companies by adding to said article 18a, new section, to be known as section 1522a, regulating the method of computing distances of express matter carried,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 574, entitled

An act to repeal section 4206, article 1, chapter 47, Revised Statutes, Missouri, 1899, and to enact a new section in lieu thereof, to be known as section 4206, relating to mechanic's liens,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 439, entitled

An act fixing time of holding court in the Thirteenth judicial circuit,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 416, entitled

An act to amend article one, chapter 47 of the Revised Statutes, Missouri, 1899, by adding a new section thereto, to be known as section 4227a, relating to mechanic's liens,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 355, entitled

An act to enact a new section of article one, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with an emergency clause,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Judiciary, to which was referred House bill No. 440, entitled

An act to provide protection to mechanics and other persons for

labor performed and material furnished for the repair of personal property and secure the same by lien,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

House bill No. 594 was taken up.

Senator Martin moved that the vote by which Senate amendment No. 1 was agreed to be reconsidered.

The motion prevailed.

Senator Martin offered substitute for Senate amendment No. 1:

Substitute for Senate amendment No. 1 to House bill No. 594:

Amend House bill No. 594 by adding to section 7229 after the words "clerks" in line 68 of the printed bill, the following words: "If any person holding the position of judge or clerk of election is found not to possess all qualifications prescribed in this section, or if any such judge or clerk shall be guilty of neglecting the duties of the place, or be guilty of any official misconduct, then such person shall be removed from office by the commissioners, and any such vacancy shall be immediately filled by the appointment of a suitable person to such place, who shall be selected and appointed as this section provides ;

Which was read and adopted.

Amendment No. 1 to House bill No. 594, as amended, by substitute, was agreed to.

Senator Morton offered the following amendment:

Senate amendment No. 2 to House bill No. 594:

Amend House bill No. 594 by striking out from lines 31 and 32 of the printed bill, the words "at least sixty days," and by inserting in place thereof the following words, "as early as practicable;"

Read first and second times and agreed to.

House bill No. 594, as amended, entitled

An act to repeal sections 7224, 7226, 7229, 7242 and 7267 of article 8, chapter 102, Revised Statutes of Missouri of 1899, relating to registrations and elections in cities with three hundred thousand inhabitants or over, and to enact five new sections in lieu thereof, to be known as sections 7224, 7226, 7229, 7242 and 7267, with emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Marshall, | Stubbs,    |
| Bradley,  | Drabelle, | Martin,   | Sullivan,  |
| Clay,     | Farris,   | Matthews, | Tandy,     |
| Clarke,   | Fields,   | Morton,   | Thomas,    |
| Costello, | Jewell,   | Rollins,  | Whaley—23. |
| Davisson, | Lee,      | Smith,    |            |

NAYS—None.

Absent with leave—Senators

|          |          |             |           |
|----------|----------|-------------|-----------|
| Collins, | Orchard, | Rubey,      | Walker,   |
| Haynes,  | Ramp,    | Schoenlaub, | Zevely—9. |
| Heather, |          |             |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Martin,   | Stubbs,    |
| Bradley,  | Farris,   | Matthews, | Sullivan,  |
| Clarke,   | Fields,   | Morton,   | Tandy,     |
| Clay,     | Haynes,   | Rollins,  | Thomas,    |
| Costello, | Jewell,   | Rubey,    | Whaley,    |
| Davisson, | Marshall, | Smith,    | Zevely—24. |

NAYS—None.

## Absent with leave—Senators

|                       |                  |                   |                          |
|-----------------------|------------------|-------------------|--------------------------|
| Collins,<br>Drabeile, | Heather,<br>Lee, | Orchard,<br>Ramp, | Schoenlaub,<br>Walker—8. |
|-----------------------|------------------|-------------------|--------------------------|

Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Morton moved to reconsider the vote by which the bill and emergency clause passed.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle called up House amendments to Senate bill No. 204, and moved that the Senate concur in amendments 1 and 3.

House amendments Nos. 1 and 3 to Senate bill No. 204:

Amendment No. 1:

Amend Senate bill No. 204 by striking out the words "and fifty," in the 4th line of section 1 of said act.

Amendment No. 3:

Amend title to Senate bill No. 204 by striking out the words "and fifty," in the third line thereof.

Amendments Nos. 1 and 3 were concurred in by the following vote:

## YEAS—Senators

|   |  |  |   |
|---|--|--|---|
| Biggs,<br>Bradley,<br>Clarke,<br>Clay,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Fields,<br>Jewell,<br>Lee,<br>Marshall, | Martin,<br>Morton,<br>Ramp,<br>Rollins,<br>Rubey,<br>Stubbs, | Sullivan,<br>Tandy,<br>Thomas,<br>Whaley,<br>Zevely—23. |
|---|--|--|---|

## NAYS—None.

## Absent with leave—Senators

|                                |                       |                         |                     |
|--------------------------------|-----------------------|-------------------------|---------------------|
| Collins,<br>Farris,<br>Haynes, | Heather,<br>Matthews, | Orchard,<br>Schoenlaub, | Smith,<br>Walker—9. |
|--------------------------------|-----------------------|-------------------------|---------------------|

Sick—Senator Cooper—1.

Senate bill No. 204, as amended, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred and fifty thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|   |   |  |  |
|---|---|--|--|
| Biggs,<br>Bradley,<br>Clarke,<br>Clay,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Jewell,<br>Lee,<br>Marshall, | Martin,<br>Matthews,<br>Morton,<br>Ramp,<br>Rollins,<br>Rubey, | Stubbs,<br>Sullivan,<br>Tandy,<br>Thomas,<br>Walker,<br>Zevely—25. |
|---|---|--|--|

## NAYS—None.

## Absent with leave—Senators

|                     |                      |                       |           |
|---------------------|----------------------|-----------------------|-----------|
| Collins,<br>Haynes, | Heather,<br>Orchard, | Schoenlaub,<br>Smith, | Whaley—7. |
|---------------------|----------------------|-----------------------|-----------|

Sick—Senator Cooper—1.

Title to the bill read and agreed to.

Senator Drabelle moved that the vote by which Senate bill No. 204 was passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

House bills Nos. 13 and 367, being a special order for 10:30 a. m., was taken up at that hour.

Senator Clay offered an amendment to the bill.

House bill No. 367 with amendment was laid over informally.

House bill No. 13 was taken up.

Senator Clay offered substitute for committee substitute for House bill No. 13.

Senator Martin offered the following amendment to the substitute for committee substitute for House bill No. 13.

Senate amendment No. 1 to substitute for committee substitute to House bill No. 13:

Amend the substitute for committee substitute to House bill No. 13 by striking out all after the word "aforesaid," in the 12th line of section 879 of the printed bill,

The amendment was agreed to by the following vote:

YEAS—Senators

|           |           |         |             |
|-----------|-----------|---------|-------------|
| Biggs,    | Davisson, | Jewell, | Ramp,       |
| Bradley,  | Dowell,   | Lee,    | Rubey,      |
| Clarke,   | Drabelle, | Martin, | Schoenlaub, |
| Clay,     | Fields,   | Morton, | Stubbs—18.  |
| Costello, | Heather,  |         |             |

NAYS—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Farris,   | Matthews, | Smith, | Thomas,   |
| Marshall, | Rollins,  | Tandy, | Whaley—8. |

Absent with leave—Senators

|          |           |         |           |
|----------|-----------|---------|-----------|
| Collins, | Orchard,  | Walker, | Zevely—6. |
| Haynes,  | Sullivan, |         |           |

Sick—Senator Cooper—1.

Substitute for substitute for House bill No. 13, as amended, was adopted.

Pending discussion of House bill No. 13, the hour of eleven o'clock having arrived, Senator Thomas announced that he reserved the right to call up House bill No. 375, a special order for that hour, when present matter was disposed of.

Substitute for committee substitute, as amended, for House bill No. 13, entitled

An act to repeal sections 8793 and 8794 of chapter 133 of article 2 of the Revised Statutes of Missouri, 1899, and enact in lieu thereof two new sections, to be known as sections 8793 and 8794; and to prevent persons and corporations from working laborers under ground more than eight hours in a day of twenty-four hours, and fixing eight hours as a day for such laborers,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Dowell,  | Matthews, | Schoenlaub, |
| Bradley,  | Fields,  | Morton,   | Smith,      |
| Clarke,   | Heather, | Ramp,     | Stubbs,     |
| Clay,     | Jewell,  | Rollins,  | Tandy,      |
| Costello, | Lee,     | Rubey,    | Zevely—22.  |
| Davisson, | Martin,  |           |             |

NAYS—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Drabelle, | Marshall, | Thomas, | Whaley—5. |
| Haynes,   |           |         |           |

Absent with leave—Senators

|          |          |           |           |
|----------|----------|-----------|-----------|
| Collins, | Orchard, | Sullivan, | Walker—5. |
| Farris,  |          |           |           |

Sick—Senator Cooper—1.

Title to the substitute for committee substitute for House bill No. 13 read and agreed to.

Senator Rubey moved that the vote by which substitute for committee substitute for House bill No. 13 was passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 14, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate joint and concurrent resolution No. 8, entitled "Joint and concurrent resolution submitting to the qualified voters of the State an amendment to section 11, article 10 of the Constitution of Missouri."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

The following communication was received from the House of Representatives, through its Chief Clerk, Hr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed Senate bill No. 133, entitled

An act to provide for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more;

Which was read.

On motion of Senator Rubey, Senate took a recess until 1:30 p. m.

## AFTERNOON SESSION.

The hour of recess having expired, the President called the Senate to order.

The President announced the reception from the House of Representatives, enrolled House bill No. 200, entitled

An act to amend section 1740 of article 3, chapter 14 of the Revised Statutes of 1899, entitled "Courts of record;"

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled committee substitute for House bill No. 160, entitled

An act creating a board of public works in cities of 100,000 and less than 150,000 inhabitants, prescribing its powers and duties and repealing all acts or parts of acts inconsistent therewith;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length, and, unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute at length. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of

the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, enrolled House bill No. 457, entitled

An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands, and to amend section 8267, chapter 122, and to amend sections 8282, 8292, 8298 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

On motion of Senator Morton, the rules were suspended and Senate bill No. 337 was taken up.

Senator Morton moved that the committee substitute for Senate bill No. 337, be adopted.

The motion prevailed.

And the substitute adopted.

On motion of Senator Morton, committee substitute for Senate bill No. 337, as amended, entitled

An act to authorize the Governor to compromise and settle all inspection fees under the act approved May 4th, 1899, known as the "Beer Inspection law," that accrue prior to March 20, 1901, and to remit all fines and forfeitures incurred under this act prior to this date by parties who shall comply with its terms and provisions, and to bar all prosecutions against such parties not now pending,

Was ordered engrossed and printed.

On motion of Senator Morton, Senate bill No. 338 was taken up under suspension of the rules.

Senator Farris offered the following amendment:

Amendment No. 1:

Amend Senate bill No. 338 by striking out all after the word "words" in line 6, down to and including the word "whatever," in line 9 of section one, and inserting in lieu thereof the words "one-half a cent for each gallon contained in each package, and one cent for labeling each package;" and by striking out all after the word "guaging," in line 12 of section one, down to and including the word "whatever," in line 16 of said section, and inserting in lieu thereof the words "one-half a cent for each gallon contained in each package, and one cent for labeling each package;"

Read first and second times and agreed to.

Senator Morton moved that the bill, as amended, be ordered engrossed and printed.

Roll call demanded.

Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the

Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Was taken up, and ordered engrossed and printed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Bradley,  | Fields,   | Martin,  | Tandy,     |
| Clay,     | Haynes,   | Morton,  | Thomas,    |
| Dowell,   | Jewell,   | Orchard, | Whaley,    |
| Drabelle, | Lee,      | Stubbs,  | Zevely—18. |
| Farris,   | Marshall, |          |            |

NAYS—Senators,

|         |           |             |             |
|---------|-----------|-------------|-------------|
| Biggs,  | Davisson, | Rollins,    | Sullivan—7. |
| Clarke, | Matthews, | Schoenlaub, |             |

Absent with leave—Senators

|           |          |        |           |
|-----------|----------|--------|-----------|
| Collins,  | Heather, | Rubey, | Walker—7. |
| Costello, | Ramp,    | Smith, |           |

Sick—Senator Cooper—1.

Under suspension of the rules committee substitute for House bill No. 5, entitled

An act authorizing the appointment of a commission to ascertain and determine the positions of Missouri troops in the siege and defense of Vicksburg, and to make an appropriation to pay the necessary traveling expenses of said commission,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Morton,     | Stubbs,    |
| Bradley,  | Fields,   | Orchard,    | Sullivan,  |
| Clarke,   | Haynes,   | Rollins,    | Tandy,     |
| Clay,     | Jewell,   | Rubey,      | Thomas,    |
| Davisson, | Lee,      | Schoenlaub, | Whaley—23. |
| Drabelle, | Matthews, | Smith,      |            |

NAYS—Senators

|         |          |         |         |
|---------|----------|---------|---------|
| Dowell, | Heather, | Martin, | Ramp—4. |
|---------|----------|---------|---------|

Absent with leave—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Collins,  | Marshall, | Walker, | Zevely—5. |
| Costello, |           |         |           |

Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Whaley moved to reconsider the vote by which the bill passed.

Senator Clarke moved to lay that motion on the table.

The latter motion prevailed.

Senator Thomas called up House bill No. 375, it being special order for that hour.

Amendment offered by Senator Zevely being pending.

The amendment was read.

Roll call demanded.

The amendment was not agreed to by the following vote:

YEAS—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Costello, | Sullivan, | Whaley, | Zevely—5. |
| Marshall, |           |         |           |

NAYS—Senators,

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Jewell,   | Rubey,      |
| Bradley,  | Drabelle, | Martin,   | Schoenlaub, |
| Clarke,   | Farris,   | Matthews, | Smith,      |
| Clay,     | Fields,   | Orchard,  | Stubbs,     |
| Davisson, | Heather,  | Rollins,  | Thomas—20.  |

Absent with leave—Senators

|          |         |        |           |
|----------|---------|--------|-----------|
| Collins, | Lee,    | Ramp,  | Walker—7. |
| Haynes,  | Morton, | Tandy, |           |

Sick—Senator Cooper—1.

Senator Thomas moved that the bill be read third time and put upon its passage.

Senator Zevely offered the following amendment, which was read and not agreed to:

Amendment No. 4:

Amend by adding the following at end of section 10: "The provisions of this law shall not apply to counties of 18,000 inhabitants and less."

Question recurring on motion to read bill third time and put upon its passage.

The motion prevailed.

House bill No. 375, entitled

An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities of ten thousand population or more and to prohibit the employment of children during school hours,

Was read third time, placed upon its passage, and passed by the following vote:

|               |          |             |            |
|---------------|----------|-------------|------------|
| YEAS—Senators |          |             |            |
| Biggs,        | Fields,  | Matthews,   | Smith,     |
| Bradley,      | Haynes,  | Orchard,    | Stubbs,    |
| Clarke,       | Heather, | Rollins,    | Tandy,     |
| Clay,         | Jewell,  | Rubey,      | Thomas,    |
| Davison,      | Lee,     | Schoenlaub, | Whaley—22. |
| Dowell,       | Martin,  |             |            |

|                |           |           |           |
|----------------|-----------|-----------|-----------|
| NAYS—Senators, |           |           |           |
| Costello,      | Marshall, | Sullivan, | Zevely—5. |
| Drabelle,      |           |           |           |

|                            |         |       |           |
|----------------------------|---------|-------|-----------|
| Absent with leave—Senators |         |       |           |
| Collins,                   | Morton, | Ramp, | Walker—5. |
| Farris,                    |         |       |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

|               |          |             |            |
|---------------|----------|-------------|------------|
| YEAS—Senators |          |             |            |
| Biggs,        | Farris,  | Martin,     | Smith,     |
| Bradley,      | Fields,  | Orchard,    | Stubbs,    |
| Clarke,       | Haynes,  | Rollins,    | Tandy,     |
| Clay,         | Heather, | Rubey,      | Thomas,    |
| Davison,      | Jewell,  | Schoenlaub, | Whaley—22. |
| Dowell,       | Lee,     |             |            |

|               |           |           |           |
|---------------|-----------|-----------|-----------|
| NAYS—Senators |           |           |           |
| Costello,     | Drabelle, | Sullivan, | Zevely—4. |

|                            |           |       |           |
|----------------------------|-----------|-------|-----------|
| Absent with leave—Senators |           |       |           |
| Collins,                   | Matthews, | Ramp, | Walker—6. |
| Marshall,                  | Morton,   |       |           |

Sick—Senator Cooper—1.

The title read.

Senator Thomas offered the following amendment to the title:

Amend title to House bill No. 375 by striking out the words "of ten thousand population or more," and inserting in lieu thereof the words "designated in this act;"

Amendment No. 2 to title:

Amend title by adding the words "with an emergency clause;"

Read first and second times and agreed to.

Senator Thomas moved to reconsider the vote by which the bill and emergency clause passed.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey, from the Conference Committee, submitted the following report:

Mr. President: We, your Conference Committee, appointed to adjust differences between the House and Senate on Senate amendments to House bill No. 593, entitled "An act to appropriate money for the support and maintenance and improvement of the State University and other educational institutions during the years 1901 and 1902," beg leave to report as follows:

We propose the following substitute for amendment No. 1, recommend that it be agreed to by both houses:

Amendment No. 1:

Amend section 2, as follows: By striking out the words "sixty-four thousand," in lines 2 and 3, and inserting in lieu thereof the words "sixty-eight thousand;" by inserting in line 4 "\$31,500.00" in lieu of "\$27,500.00;" also by inserting in line 13 "\$68,550.00" in lieu of "\$64,550.00."

We further recommend that the House of Representatives agree to Senate amendments Nos. 2, 3, 4, 5, 6, 7, 8, 9 and 10, as the same appear in Senate amendments to House bill No. 593.

Respectfully submitted

THOS. D. RUBEY,  
NICK M. BRADLEY,  
W. P. SULLIVAN,  
Senate Committee.  
EDW. T. EVERSOLE,  
JOHN O. HOLMES,  
A. L. REEVES,  
House Committee.

Which was read and adopted by the following vote:

YEAS—Senators

|          |           |         |            |
|----------|-----------|---------|------------|
| Biggs,   | Drabelle, | Lee,    | Sullivan,  |
| Bradley, | Farris,   | Martin, | Tandy,     |
| Clarke,  | Fields,   | Morton, | Thomas,    |
| Clay,    | Haynes,   | Rubey,  | Whaley,    |
| Davison, | Heather,  | Stubbs, | Zevely—21. |
| Dowell,  |           |         |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Collins,  | Marshall, | Ramp,       | Smith,     |
| Costello, | Matthews, | Rollins,    | Walker—11. |
| Jewell,   | Orchard,  | Schoenlaub, |            |

Sick—Senator Cooper—1.

Senator Rubey, from the Conference Committee, submitted the following report:

Mr. President: We, your Conference Committee, to whom was referred the differences between the Senate and House on House bill No. 220, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902, beg leave to make the following report:

First—We recommend that the Senate recede from amendments Nos. 7 and 8.

Second—We recommend that the House agree to amendments Nos. 1, 2, 4, 5 and 6.

Third—We offer the following substitute for amendment No. 3, and recommend its adoption by both houses.

Amendment No. 3 to House bill No. 230:

Amend section 4 by striking out all after the abbreviation "etc.," in line 7 of printed bill, and inserting in lieu thereof the following: "Twenty-eight thousand dollars (\$28,000.00); in all, thirty-eight thousand dollars (\$38,000.00)."

Fourth—We propose the following additional amendment, and recommend its adoption by both houses:

Amend section 3 as follows: By striking out in lines 10, 11 and 12 the words and figures "forty-two judges of circuit courts, one hundred and sixty-eight thousand dollars (\$168,000)," and inserting in lieu thereof the words and figures "forty-three judges of circuit courts, one hundred and seventy-two thousand dollars (\$172,000);" also by striking out in lines 26 and 27 the words and figures "three hundred and thirty thousand two hundred dollars (\$330,200)," and inserting in lieu thereof the words and figures "three hundred and thirty-four thousand two hundred dollars (\$334,200)."

Respectfully submitted

THOS. D. RUBEY,  
JOHN S. CLAY,  
H. M. RAMP,  
Senate Committee.  
NEWLAN CONKLING,  
J. M. PISTLE,  
L. B. WOODS,  
House Committee.

Which was read and adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Stubbs,    |
| Bradley,  | Farris,   | Morton,     | Sullivan,  |
| Clarke,   | Fields,   | Orchard,    | Tandy,     |
| Clay,     | Haynes,   | Ramp,       | Thomas,    |
| Costello, | Heather,  | Rubey,      | Whaley,    |
| Davisson, | Lee,      | Schoenlaub, | Zevely—26. |
| Dowell,   | Marshall, |             |            |

## NAYS—None.

## Absent with leave—Senators

|          |           |        |           |
|----------|-----------|--------|-----------|
| Collins, | Matthews, | Smith, | Walker—6. |
| Jewell,  | Rollins,  |        |           |

## Sick—Senator Cooper—1.

House bill No. 619, entitled

An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets, by enacting a new section, to be known as section 5982a,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Schoenlaub, |
| Bradley,  | Farris,   | Martin,   | Stubbs,     |
| Clarke,   | Fields,   | Morton,   | Tandy,      |
| Clay,     | Heather,  | Orchard,  | Thomas,     |
| Costello, | Jewell,   | Ramp,     | Whaley,     |
| Davisson, | Lee,      | Rollins,  | Zevely—24.  |

## NAYS—Senators

|         |        |             |
|---------|--------|-------------|
| Dowell, | Rubey, | Sullivan—3. |
|---------|--------|-------------|

## Absent with leave—Senators

|          |           |        |           |
|----------|-----------|--------|-----------|
| Collins, | Matthews, | Smith, | Walker—5. |
| Haynes,  |           |        |           |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Stubbs moved that the vote by which the bill passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Biggs called up House bill No. 277.

The President handed down his decision on the point of order made by Senator Rubey yesterday.

Which was read as follows:

To the Senate:

The House of Representatives passed House bill No. 277 and it came in due course to the Senate.

The Senate amended the bill and it was passed and returned to the House of Representatives.

The House of Representatives refused to concur in the Senate amendment and so reported to the Senate.

A motion was made in regular form that "the Senate recede from its amendment."

The roll was called and the vote was 14 ayes and 10 noes.

A point or order was taken to the effect that the motion to recede was not carried by a constitutional majority, etc., and the point was taken under advisement by the chair.

I now hold with "Jefferson's Manual," page 512, and "Crutchfield," page 507, that "A motion to recede which removes the disagreement between the Houses and passes the bill may be made and is not debatable."

I further hold that the motion to recede if it has been legally acted upon by the Senate has removed the disagreement between the two Houses and that the bill has become a law.

I also hold that the motion to recede has been legally adopted; not alone because an amendment has been receded from by a majority vote of those present, all that was originally required to adopt the amendment; but because the Constitution of Missouri, article IV, section 32 says:

"No amendments to bills by one House shall be concurred in by the other, except by a vote of the majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal

thereof; and reports of committees of conference shall be adopted in either house only by a vote of a majority of the members elected thereto taken by yeas and nays, and the names of those voting recorded upon the journal."

It will be observed that concurrence in amendments and the adoption of reports of conference committees are specifically designated in this constitutional provision, but no other subsidiary motion, for instance, to recede, insist, adhere, reconsider, postpone indefinitely or any other is required by the Constitution to be disposed of by a special constitutional majority.

It is a well known rule of law, I believe, that the expression or specific naming of one thing or class of things excludes all others, and it seems to me that the specific mention of motions to concur and of adoption of conference reports in the Constitution means that its framers intended to leave all other motions, saving the final passage of bills which is also specifically mentioned, to be controlled by general and customary parliamentary usage.

I, therefore, hold that a constitutional majority is not required to recede from an amendment, that the Senate has so receded, and that the original bill having been approved in both houses by a constitutional majority, is duly and legally passed no further action being essential.

It is contended that the bill would not have passed in the Senate unless with the amendment, and that the intention of the members of the Senate is not carried out by the passage of the amended bill.

This is not a matter to be considered by me. A certain number of Senators were originally in favor of the bill without amendment, and others, by overlooking their opportunity to vote against the motion to recede, have thereby technically gone over to the original minority, and have aided that wise and distinguished parliamentarian, the Senator from Audrain, to pass the bill and make it, so far as the Senate can do, so the law of the land.

Very respectfully,

JOHN A. LEE,  
President of the Senate.

Rules suspended.

House bill No. 267, entitled

An act for the relief of Edw. J. White and Mrs. Maud L. Stevenson,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Smith,     |
| Bradley,  | Farris,   | Orchard,    | Stubbs,    |
| Clarke,   | Fields,   | Ramp,       | Tandy,     |
| Clay,     | Haynes,   | Rollins,    | Thomas,    |
| Costello, | Martin,   | Rubey,      | Whaley,    |
| Davisson, | Matthews, | Schoenlaub, | Zevely—24. |

NAYS—Senators

Dowell, Marshall—2.

Absent with leave—Senators

|          |         |           |           |
|----------|---------|-----------|-----------|
| Collins, | Jewell, | Sullivan, | Walker—6. |
| Heather, | Lee,    |           |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Bradley moved that the vote by which the bill passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey called up House amendment No. 1 to Senate bill No. 299, and moved that Senate concur.

Amend Senate bill No. 299, section 7, by striking out the words "twenty-five thousand dollars," in the second line of said section, and inserting in lieu thereof the words "fifteen thousand dollars;" so that said section, as amended, shall read as follows:

Section 7. There is hereby appropriated out of the general revenue fund of the State the sum of fifteen thousand dollars, or so much thereof as may be necessary to pay the salary of the commissioners and their contingent expenses, including such clerical help as the commission may employ, stationery, postage and other necessary expenses of said commission, to be paid in such manner and in such sums and at such times as the Governor may certify to the Auditor, who shall draw warrants on the Treasurer for the same.

Amendment concurred in by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Drabelle, | Lee,     | Rubey,     |
| Bradley,  | Farris,   | Martin,  | Tandy,     |
| Clay,     | Fields,   | Morton,  | Thomas,    |
| Costello, | Haynes,   | Orchard, | Whaley,    |
| Davisson, | Heather,  | Ramp,    | Zevely—23. |
| Dowell,   | Jewell,   | Rollins, |            |

NAYS—None.

Absent with leave—Senators

|           |             |         |           |
|-----------|-------------|---------|-----------|
| Clarke,   | Matthews,   | Smith,  | Sullivan, |
| Collins,  | Schoenlaub, | Stubbs, | Walker—9. |
| Marshall, |             |         |           |

Sick—Senator Cooper—1.

Senate bill No. 299, as amended, entitled

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties and for the making of a report of the work thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Dowell,   | Jewell,  | Sullivan,  |
| Bradley,  | Drabelle, | Lee,     | Tandy,     |
| Clarke,   | Farris,   | Martin,  | Thomas,    |
| Clay,     | Fields,   | Morton,  | Whaley,    |
| Costello, | Haynes,   | Orchard, | Zevely—23. |
| Davisson, | Heather,  | Rubey,   |            |

NAYS—None.

Absent with leave—Senators

|           |          |             |           |
|-----------|----------|-------------|-----------|
| Collins,  | Ramp,    | Schoenlaub, | Stubbs,   |
| Marshall, | Rollins, | Smith,      | Walker—9. |
| Matthews, |          |             |           |

Sick—Senator Cooper—1.

Senator Rubey moved that the vote by which the bill passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate committee substitute for House committee substitute for joint and concurrent resolution No. 12, with title amended;

Also, Senate bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the Revenue Fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898, with amendments Nos. 1, 2, 3 and 4;

Also, Senate bill No. 291, entitled

An act to amend article 4 of chapter 119, Revised Statutes of Missouri, 1899, entitled "Insurance on the stipulated premium plan," by adding a new section 7930a;

Which were read.

Senate bill No. 81, entitled

An act creating a State Board of Health, and repealing article 1, chapter III of the Revised Statutes of 1899,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Jewell,   | Rubey,     |
| Bradley,  | Drabelle, | Lee,      | Tandy,     |
| Clarke,   | Farris,   | Marshall, | Thomas,    |
| Clay,     | Fields,   | Orchard,  | Whaley,    |
| Costello, | Haynes,   | Ramp,     | Zevely—21. |
| Davisson, |           |           |            |

## NAYS—None.

## Absent with leave—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Collins, | Matthews, | Schoenlaub, | Sullivan,  |
| Heather, | Morton,   | Smith,      | Walker—11. |
| Martin,  | Rollins,  | Stubbs,     |            |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Whaley moved that the vote by which the bill passed be reconsidered.

Senator Davisson moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 282 was taken up, and, on motion of Senator Whaley, made special order for 11 a. m. tomorrow.

The rules were suspended.

House bill No. 355, entitled

An act to enact new section of article 1, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Stubbs,    |
| Bradley,  | Drabelle, | Morton,     | Tandy,     |
| Clarke,   | Fields,   | Orchard,    | Thomas,    |
| Clay,     | Heather,  | Ramp,       | Whaley,    |
| Costello, | Lee,      | Schoenlaub, | Zevely—22. |
| Davisson, | Martin,   |             |            |

## NAY—Senator Rollins—1.

## Absent with leave—Senators

|          |           |        |           |
|----------|-----------|--------|-----------|
| Collins, | Jewell,   | Rubey, | Sullivan, |
| Farris,  | Marshall, | Smith, | Walker—9. |
| Haynes,  |           |        |           |

## Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Stubbs,    |
| Bradley,  | Farris,   | Martin,     | Sullivan,  |
| Clarke,   | Fields,   | Morton,     | Tandy,     |
| Clay,     | Heather,  | Orchard,    | Thomas,    |
| Costello, | Jewell,   | Rubey,      | Whaley,    |
| Davisson, | Lee,      | Schoenlaub, | Zevely—25. |
| Dowell,   |           |             |            |

## NAY—Senator Rollins—1.

## Absent with leave—Senators

|          |           |        |           |
|----------|-----------|--------|-----------|
| Collins, | Matthews, | Smith, | Walker—6. |
| Haynes,  | Ramp,     |        |           |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Dowell moved that the vote by which the bill and emergency clause passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 629, entitled

An act to amend section 1423, chapter XII, article 11 of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Morton,     | Stubbs,    |
| Bradley,  | Fields,   | Orchard,    | Tandy,     |
| Clarke,   | Heather,  | Ramp,       | Thomas,    |
| Clay,     | Lee,      | Schoenlaub, | Whaley,    |
| Costello, | Marshall, | Smith,      | Zevely—22. |
| Davison,  | Martin,   |             |            |

NAYS—None.

Absent with leave—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Collins,  | Haynes,   | Rollins, | Sullivan,  |
| Drabelle, | Jewell,   | Rubey,   | Walker—10. |
| Farris,   | Matthews, |          |            |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which the bill passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute to House bill No. 247 was taken up.

Senator Fields offered the following amendment:

Senate amendment No. 1:

Amend committee substitute for House bill No. 247 by striking out of lines 19 and 20 the words "other than that used for the county's sane poor persons," and by striking out of lines 25 and 26 the words "and not at the county's poor farm or other home provided for poor persons;"

Read first and second times and agreed to.

Senator Rubey offered the following amendment:

Senate Amendment No. 2:

Amend House bill No. 247 by striking out the word "constant," in lines 21 and 22;

Read first and second times, and agreed to.

Committee substitute for House bill No. 247, as amended, entitled

An act to repeal section 4856, chapter 72, article 1, Revised Statutes, 1899, and to enact a new section in lieu thereof, to be known as section 4856,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |         |            |
|----------|-----------|---------|------------|
| Biggs,   | Drabelle, | Ramp,   | Sullivan,  |
| Clarke,  | Fields,   | Rubey,  | Tandy,     |
| Clay,    | Lee,      | Smith,  | Thomas,    |
| Davison, | Martin,   | Stubbs, | Whaley—18. |
| Dowell,  | Matthews, |         |            |

NAY—Senator Farris—1.

Absent with leave—Senators

|           |           |          |             |
|-----------|-----------|----------|-------------|
| Bradley,  | Heather,  | Morton,  | Schoenlaub, |
| Collins,  | Jewell,   | Orchard, | Walker,     |
| Costello, | Marshall, | Rollins, | Zevely—13.  |
| Haynes,   |           |          |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Davisson moved that the vote by which the bill passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 64, entitled

An act to amend article 2, chapter 14 of the Revised Statutes, by adding a new section, to be numbered 1649a, relating to the jurisdiction of the courts of appeal, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Biggs,    | Drabelle, | Orchard, | Sullivan,  |
| Bradley,  | Fields,   | Ramp,    | Tandy,     |
| Clay,     | Heather,  | Rubey,   | Thomas,    |
| Costello, | Lee,      | Smith,   | Whaley,    |
| Davisson, | Marshall, | Stubbs,  | Zevely—22. |
| Dowell,   | Martin,   |          |            |

NAYS—Senators

|         |         |           |           |
|---------|---------|-----------|-----------|
| Clarke, | Jewell, | Matthews, | Morton—5. |
| Farris, |         |           |           |

Absent with leave—Senators

|          |          |             |           |
|----------|----------|-------------|-----------|
| Collins, | Rollins, | Schoenlaub, | Walker—5. |
| Haynes,  |          |             |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was read and adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Smith,     |
| Bradley,  | Fields,   | Orchard,    | Sullivan,  |
| Clay,     | Heather,  | Ramp,       | Tandy,     |
| Costello, | Lee,      | Rollins,    | Thomas,    |
| Davisson, | Marshall, | Rubey,      | Whaley,    |
| Dowell,   | Martin,   | Schoenlaub, | Zevely—24. |

NAYS—Senators

|         |         |             |  |
|---------|---------|-------------|--|
| Clarke, | Jewell, | Matthews—3. |  |
|---------|---------|-------------|--|

Absent with leave—Senators

|          |         |         |           |
|----------|---------|---------|-----------|
| Collins, | Haynes, | Stubbs, | Walker—5. |
| Farris,  |         |         |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved to reconsider the vote by which the bill passed.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 399, entitled

An act to amend section 3253 of the Revised Statutes of the State of Missouri for 1899, entitled "Fees of constables,"

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|          |         |           |            |
|----------|---------|-----------|------------|
| Biggs,   | Farris, | Ramp,     | Tandy,     |
| Bradley, | Fields, | Rollins,  | Thomas,    |
| Clarke,  | Lee,    | Smith,    | Whaley,    |
| Clay,    | Martin, | Sullivan, | Zevely—18. |
| Dowell,  | Morton, |           |            |

NAYS—Senators

|           |           |  |  |
|-----------|-----------|--|--|
| Costello, | Stubbs—2. |  |  |
|-----------|-----------|--|--|

Absent with leave—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Collins,  | Haynes,  | Marshall, | Rubey,      |
| Davisson, | Heather, | Matthews, | Schoenlaub, |
| Drabelle, | Jewell,  | Orchard,  | Walker—12.  |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which House bill No. 399 was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 400, entitled

An act to amend section 3261 of the Revised Statutes of the State of Missouri for 1899, relating to fees of justices of the peace,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |         |            |
|----------|-----------|---------|------------|
| Biggs,   | Drabelle, | Morton, | Sullivan,  |
| Bradley, | Fields,   | Ramp,   | Tandy,     |
| Clarke,  | Lee,      | Rubey,  | Thomas,    |
| Clay,    | Martin,   | Smith,  | Whaley,    |
| Dowell,  | Matthews, | Stubbs, | Zevely—20. |

NAYS—None.

Absent with leave—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Collins,  | Farris,  | Jewell,   | Rollins,    |
| Costello, | Haynes,  | Marshall, | Schoenlaub, |
| Davison,  | Heather, | Orchard,  | Walker—12.  |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill passed be reconsidered.

Senator Clay moved to lay that motion on the table.

The latter motion prevailed.

Committee substitute for House bill No. 257, entitled

An act providing for the semi-monthly payment of employes of manufactories,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|          |           |           |            |
|----------|-----------|-----------|------------|
| Biggs,   | Drabelle, | Martin,   | Stubbs,    |
| Bradley, | Farris,   | Matthews, | Tandy,     |
| Clarke,  | Fields,   | Morton,   | Thomas,    |
| Clay,    | Heather,  | Ramp,     | Whaley,    |
| Dowell,  | Lee,      | Rubey,    | Zevely—20. |

NAY—Senator Orchard—1.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Collins,  | Haynes,   | Rollins,    | Sullivan,  |
| Costello, | Jewell,   | Schoenlaub, | Walker—11. |
| Davison,  | Marshall, | Smith,      |            |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Clay moved that the vote by which the bill passed be reconsidered.

Senator Ramp moved to lay that motion on the table.

The latter motion prevailed.

Senator Tandy, from the Committee on Engrossed Bills, submitted the two following reports:

Mr. President: Your Committee on Engrossed Bills, to which was referred committee substitute for Senate bill No. 337, entitled

An act to authorize the Governor to compromise and settle all demands for inspection fees by the State arising prior to March 19th, 1901, under the act approved May 4th, 1899, and known as the "Beer Inspection law," and to remit all fines, penalties and forfeitures in-

curred under said act prior to March 19th, 1901, by parties who shall comply with the provisions of this act; and to bar all prosecutions not now pending against such parties;

Also, Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Begs leave to report that it has compared the same, and finds them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which were read.

Senator Morton moved to suspend the rules and to take up substitute for Senate bill No. 337.

The motion prevailed.

Committee substitute for Senate bill No. 337, entitled

An act to authorize the Governor to compromise and settle all demands for inspection fees by the State arising prior to March 19th, 1901, under the act approved May 4th, 1899, and known as the "Beer Inspection law," and to remit all fines, penalties and forfeitures incurred under said act prior to March 19th, 1901, by parties who shall comply with the provisions of this act; and to bar all prosecutions not now pending against such parties,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Drabelle, | Marshall,   | Smith,     |
| Clarke,   | Farris,   | Martin,     | Stubbs,    |
| Clay,     | Fields,   | Morton,     | Tandy,     |
| Costello, | Haynes,   | Orchard,    | Thomas.    |
| Davison,  | Heather,  | Rubey,      | Whaley,    |
| Dowell,   | Jewell,   | Schoenlaub, | Zevely—24. |

NAYS—Senators

|        |           |          |             |
|--------|-----------|----------|-------------|
| Biggs, | Matthews, | Rollins, | Sullivan—6. |
| Lee,   | Ramp,     |          |             |

Absent with leave—Senators

|          |           |
|----------|-----------|
| Collins, | Walker—2. |
|----------|-----------|

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Bradley,  | Farris,  | Marshall,   | Smith,     |
| Clarke,   | Fields,  | Martin,     | Stubbs,    |
| Clay,     | Haynes,  | Morton,     | Tandy,     |
| Costello, | Heather, | Orchard,    | Thomas,    |
| Davison,  | Jewell,  | Rubey,      | Whaley,    |
| Dowell,   | Lee,     | Schoenlaub, | Zevely—25. |
| Drabelle, |          |             |            |

NAYS—Senators,

|           |       |          |             |
|-----------|-------|----------|-------------|
| Biggs;    | Ramp, | Rollins, | Sullivan—5. |
| Matthews, |       |          |             |

Absent with leave—Senators

|          |           |
|----------|-----------|
| Collins, | Walker—2. |
|----------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which the bill passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton moved that rules be suspended and Senate bill No. 338 be taken up.

The motion prevailed.

Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Farris,   | Martin,     | Smith,     |
| Clarke,   | Fields,   | Matthews,   | Stubbs,    |
| Clay,     | Haynes,   | Morton,     | Tandy,     |
| Costello, | Heather,  | Orchard,    | Thomas,    |
| Davisson, | Jewell,   | Ramp,       | Whaley,    |
| Dowell,   | Lee,      | Rubey,      | Zevely—27. |
| Drabelle, | Marshall, | Schoenlaub, |            |

NAYS—Senators

|                            |           |             |
|----------------------------|-----------|-------------|
| Biggs,                     | Rollins,  | Sullivan—3. |
| Absent with leave—Senators |           |             |
| Collins,                   | Walker—2. |             |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators,

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Farris,   | Martin,     | Smith,     |
| Clarke,   | Fields,   | Matthews,   | Stubbs,    |
| Clay,     | Haynes,   | Morton,     | Tandy,     |
| Costello, | Heather,  | Orchard,    | Thomas,    |
| Davisson, | Jewell,   | Ramp,       | Whaley,    |
| Dowell,   | Lee,      | Rubey,      | Zevely—27. |
| Drabelle, | Marshall, | Schoenlaub, |            |

NAYS—Senators,

|                            |             |
|----------------------------|-------------|
| Rollins,                   | Sullivan—2. |
| Absent with leave—Senators |             |
| Biggs,                     | Walker—3.   |
| Collins,                   |             |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which the bill passed be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

House joint and concurrent resolution No. 24, asking Congress to donate all the government lands in Missouri to the State for public school purposes,

Was read and adopted.

Senator Davisson submitted the following report from the special committee appointed to draft resolution on the death of General Harrison:

To the President of the Senate and Speaker of the House:

We, your Joint Committee appointed to draft a memorial and resolutions on the death of ex-President Benjamin Harrison, beg leave to make the following report:

There come times when the hearts of all true Americans are saddened. When the word reached the capitol of Missouri, and the message was read to the Senators and representatives that Benjamin Harrison, soldier, statesman and jurist—a man pure in heart and deed—was dead, there were expressions of sorrow, and a realization that a great American was—we cannot say "no more"—for his exemplary life, and his acts and deeds as a private citizen and in public office will live. Missourians respect an honorable man, and such they always believed Benjamin Harrison to be. While many differed with him in political faith, they realized that as president of our country his every act was performed, as he viewed it, for the good of all, and for the honor and glory of America. Feeling as we do, the Senate and House of Representatives of the Imperial Commonwealth of Missouri, do

Resolve, That the sons of Missouri send words of sympathy and condolence to the sons of Indiana, and mourn with them around the bier of their departed brother and eminent citizen.

Resolved, That we sympathize with his family—his beloved wife and children—and would comfort them with the thought that he left the richest inheritance—an honored name.

Resolved, That in Benjamin Harrison our country had a brave soldier, a wise and prudent statesman, a profound jurist and a citizen who placed the honored name he bore above the illurements that often beguile other men entrusted by their fellow citizens with high office.

Resolved, That a copy of these resolutions be spread upon the journal of the Senate and House of Representatives of Missouri, so that those who will follow us may read our estimation of Benjamin Harrison, and that a copy be sent to the President of the Senate and the Speaker of the House of Representatives of Indiana that they may know of the high esteem in which he was held in Missouri; also a copy be sent to his family.

E. B. FIELDS,  
S. P. DAVISSON,  
W. P. SULLIVAN,  
Senate Committee.  
MARION A. MURPHY,  
R. S. WARD,  
EDWARD McKENNY,  
House Committee.

Which was read and adopted.

Senator Dowell, from the Committee on Enrolled Bills, submitted the nine following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred committee substitute for Senate bill No. 119, entitled

An act to provide for the appointment of Factory Inspector, and defining his term of service, salary, powers and duties;

Also, Senate bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for or to loan moneys in sinking fund;"

Also, Senate bill No. 286, entitled

An act to amend section 5968, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class;"

Also, Senate bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13, 1867, as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b;

Also, Senate bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have, or that may hereafter have, three hundred thousand inhabitants of more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office;

Also, Senate bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause;

Also, Senate bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State;

Also, Senate bill No. 291, entitled

An act to amend article 4 of chapter 119 of the Revised Statutes of

Missouri, 1899, by adding a new section thereto, to be known as section 7930a;

Also, Senate bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof;

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Smith called up House amendments to Senate bill No. 259 and moved that the Senate concur.

House amendments Nos. 1, 2 and 3 to Senate bill No. 259.

Amendment No. 1:

Amend Senate bill No. 259 by striking out in the 8th line in section 6168 the word "to," and inserting in lieu thereof the words "who may."

Amendment No. 2:

Amend section 1 of Senate bill No. 259 by striking out the figure "9," in the first line of said section, where it occurs between the word "article" and the word "chapter," and by inserting in lieu thereof the figure "8."

Amendment No. 3:

Amend title to Senate bill No. 259 by striking out the figure "9," where it occurs in line 1 between the word "article" and the word "of," and by inserting in lieu thereof the figure "8."

Concurred in by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Davisson,  
Dowell,  
Drabelle,

Farris,  
Heather,  
Jewell,  
Lee,  
Marshall,  
Martin,

Morton,  
Orchard,  
Rollins,  
Rubey,  
Schoenlaub,  
Smith,

Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Whaley,  
Zevely—25.

NAY—Senator Matthews—1.

Absent with leave—Senators

Collins,  
Costello,

Fields,  
Haynes,

Ramp,

Walker—6.

Sick—Senator Cooper—1.

Senate bill No. 259, as amended, entitled

An act to repeal section 6168 of article 9 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

Biggs,  
Bradley,  
Clarke,  
Clay,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,  
Lee,

Marshall,  
Martin,  
Morton,  
Orchard,  
Ramp,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Sullivan,  
Tandy,  
Thomas,  
Walker,  
Zevely—28.

NAY—Senator Rollins—1.

Absent with leave—Senators

Collins,

Matthews,

Whaley—3.

Sick—Senator Cooper—1.

Senator Smith moved that the vote by which the bill was passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

The rules were suspended.

House bill No. 611, entitled

An act to appropriate the moneys accruing into the "State Fair fund" to the Board of Directors of the State Fair, to be expended in the establishment and maintenance of the Missouri State Fair,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Orchard,    | Sullivan,  |
| Bradley,  | Farris,   | Rubey,      | Tandy,     |
| Clarke,   | Haynes,   | Schoenlaub, | Thomas,    |
| Clay,     | Jewell,   | Smith,      | Whaley,    |
| Davisson, | Martin,   | Stubbs,     | Zevely—22. |
| Dowell,   | Morton,   |             |            |

NAYS—Senators

Heather, Marshall—2.

Absent with leave—Senators

|           |         |           |           |
|-----------|---------|-----------|-----------|
| Collins,  | Fields, | Matthews, | Rollins,  |
| Costello, | Lee,    | Ramp,     | Walker—8. |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Martin,     | Stubbs,    |
| Bradley,  | Drabelle, | Orchard,    | Sullivan,  |
| Clarke,   | Farris,   | Rollins,    | Tandy,     |
| Clay,     | Haynes,   | Rubey,      | Thomas,    |
| Costello, | Jewell,   | Schoenlaub, | Whaley,    |
| Davisson, | Lee,      | Smith,      | Zevely—24. |

NAY—Senator Heather—1.

Absent with leave—Senators

|          |           |         |           |
|----------|-----------|---------|-----------|
| Collins, | Marshall, | Morton, | Walker—7. |
| Fields,  | Matthews, | Ramp,   |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Rubey moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Martin moved to lay that motion on the table.

The latter motion prevailed.

Senator Thomas called up House amendments to Senate bill No. 161 and moved that the Senate concur.

Amendment No. 1:

Amend Senate bill No. 161 by striking from section 1, lines four and five, the following words, namely: "and time devoted to superintending exhibits," and inserting in lieu thereof the following words, namely: "by them in procuring exhibits for the said exposition."

Amendment No. 2:

Amend by striking from section 1 all the words in the 21st line to the end of said section.

Amendment No. 3:

Amend by striking from the bill the emergency clause.

Amendment No. 4:

And that the title to said bill be amended by striking therefrom the words "time and," in the 3rd line.

Concurred in by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Farris,   | Matthews,   | Smith,     |
| Bradley,  | Fields,   | Morton,     | Stubbs,    |
| Clarke,   | Haynes,   | Orchard,    | Sullivan.  |
| Clay,     | Heather,  | Ramp,       | Tandy,     |
| Costello, | Jewell,   | Rollins,    | Thomas,    |
| Davisson, | Lee,      | Rubey,      | Whaley,    |
| Dowell,   | Marshall, | Schoenlaub, | Zevely—30. |
| Drabelle, | Martin,   |             |            |

NAYS—None.

Absent with leave—Senators

Collins, Walker—2.

Sick—Senator Cooper—1.

Senate bill No. 161, as amended, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Matthews,   | Smith,     |
| Bradley,  | Haynes,   | Morton,     | Stubbs,    |
| Clarke,   | Heather,  | Orchard,    | Sullivan,  |
| Clay,     | Jewell,   | Ramp,       | Tandy,     |
| Costello, | Lee,      | Rollins,    | Thomas,    |
| Davisson, | Marshall, | Rubey,      | Whaley,    |
| Drabelle, | Martin,   | Schoenlaub, | Zevely—29. |
| Farris,   |           |             |            |

NAY—Senator Dowell—1.

Absent with leave—Senators

Collins, Walker—2.

Sick—Senator Cooper—1.

Senator Thomas moved that the vote by which the bill was passed be reconsidered.

Senator Lee moved to lay that motion on the table.

The latter motion prevailed.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 549, entitled

An act to prohibit the buying, receiving or taking of any personal property, goods, wares or merchandise of any value by any pawnbroker, junk dealer, dealer in second-hand goods or merchant from any minor without the consent of such minor's parents or guardians, had in writing, and to provide a penalty for the violation of this act,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

On motion of Senator Farris, Senate took recess until 7:30 p. m.

## NIGHT SESSION.

The Senate was called to order at 7:30 p. m. by the President.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 648, entitled

An act to amend section 728 of article 7 of chapter 8 of the Revised Statutes of Missouri of 1899, of the code of civil procedure, in relation to the filing of bills of exceptions, and to extend the time for filing the same by adding to said section a proviso,

In which the concurrence of the Senate is respectfully requested;  
Which was read.

House bill No. 648, entitled

An act to amend section 728 of article 7 of chapter 8 of the Revised Statutes of Missouri of 1899 of the code of civil procedure, in relation to the filing of bills of exceptions, and to extend the time for filing the same by adding to the said section a proviso,

Was taken up and read first time.

Senator Farris, from the Committee on Private Corporations, submitted the two following reports:

Mr. President: Your Committee on Private Corporations, to which was referred Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article 9, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation,

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on Private Corporations, to which was referred House bill No. 265, entitled

An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

The rules were suspended.

Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation,

Was taken up and ordered engrossed and printed.

Senate enrolled bill No. 326, entitled

An act entitled "An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Represen-

tatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 291, entitled

An act to amend article 4 of chapter 119 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 7930a,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 286, entitled

An act to amend section 5968, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled "Cities of the fourth class,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 223, entitled

An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have, or that may hereafter have, three hundred thousand inhabitants or more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 204, entitled

An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits

of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Committee substitute for Senate enrolled bill No. 119 entitled

An act to provide for the appointment of a Factory Inspector and defining his term of service, salary, powers and duties,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The substitute was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 185, entitled

An act to amend section three (3) of an act entitled "An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13, 1867," as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 171, entitled

An act to authorize the construction of extensions of railroads and branch railroads within this State,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Represent-

tatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 84, entitled

An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with the emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

On motion of Senator Clay, the Senate adjourned until 10 a. m. tomorrow.

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#### FIFTY-FOURTH DAY—Friday, March 15, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The seven following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that there has been introduced into and passed by the House

House bill No. 23, entitled

An act defining what shall constitute a public stock yard and regulating the charges thereof, with title amended by adding at the close thereof and providing for penalties for the violation thereof;

Also, that the House refuses to concur in Senate amendments Nos. 1 and 2 to House bill No. 375, entitled

An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities designated in this act and to prohibit the employment of children during school hours;

Also, that the House refuses to concur in Senate amendments 1 to 21, inclusive, to House bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902;

In which the concurrence of the Senate is respectfully requested.

Also, that the House has taken up and passed

Senate bill No. 46, entitled

An act to create the office of license collector, regulate his salary and the salaries and compensation of deputy license collectors, clerks and employes in said office and define the duties thereof in cities now having or which hereafter may have three hundred thousand inhabitants or more, and to provide for the payment of salaries and expenses of said office of license collector;

Also, Senate bill No. 87, entitled

An act to amend section 1795 of article 5, chapter 14 of Revised Statutes, 1899, entitled "Destruction of certain papers after five years;"

Also, Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes, of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597;

Also, Senate bill No. 64, entitled

An act amending article 5 of chapter 91 of the Revised Statutes of 1899, providing for the government of cities of the fourth class,

Which were read.

Senator Zevely presented a petition from the citizens of Osage county, asking for the passage of House bill No. 235, in relation to political parties;

Which was read, and referred to Committee on Privileges and Elections.

Senator Rollins offered the following resolution:

Resolved, That the printers of the memories of Senator Thos. C. Martin be instructed to mail copy to each member of the House at his residence, and that the bill for same be allowed and ordered paid.

Which was read and adopted.

Senator Rubey called up House resolution fixing time of adjournment and moved that the resolution be made a special order for 2 p. m. tomorrow.

Senator Thomas moved as substitute that the resolution be made special order for 11 a. m. to-day.

The motion prevailed.

Senator Biggs offered the following resolution:

Whereas, House bill No. 224 passed the House on February 14 by unanimous vote of that body; and,

Whereas, It has been in the Senate Committee on Railroads and Internal Improvements for the past month; and,

Whereas, This bill is of vital importance to the mercantile and shipping industries of this State; therefore, be it

Resolved, That the chairman of the Committee on Railroads and Internal Improvements is hereby instructed to report on House bill No. 224 forthwith.

Which was read.

Senator Biggs moved that the rules be suspended and that the resolution be adopted.

Senator Morton made the point of order that the resolution was in the nature of an amendment to the rules and must lie over one day.

The President sustained the point of order.

The resolution was laid over one day:

Senator Heather, from the Committee on County Courts and Justices of the Peace, submitted the two following reports:

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred House bill No. 211, entitled

An act to amend sections 3839 and 3843 of article 2 of chapter 43 of Revised Statutes of Missouri of 1899, entitled "Justices' courts,"

Begs leave to report that it has examined the same and recommends that it do pass;

Mr. President: Your Committee on County Courts and Justices of the Peace, to which was referred House bill No. 156, entitled

An act to repeal sections 3761, 3769, 3770 and 3773, chapter 14, article 1, Revised Statutes of Missouri, relating to juries, and to enact four new sections in lieu thereof, relieving the county courts from drawing grand juries under the constitutional amendment,

Begs leave to report that it has examined the same and recommends that it do pass;

Which were read.

Houses bill No. 531, entitled

An act to amend article 3 of chapter 15 of the Revised Statutes of Missouri, 1899, relating to offenses against public and private property, by adding a new section thereto, to be known as section 1887a,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Lee,      | Rubey,      |
| Bradley,  | Drabelle, | Marshall, | Schoenlaub, |
| Clarke,   | Fields,   | Martin,   | Smith,      |
| Clay,     | Haynes,   | Morton,   | Sullivan,   |
| Collins,  | Heather,  | Ramp,     | Thomas,     |
| Davisson, | Jewell,   | Rollins,  | Zevely—24.  |

NAYS—None.

Absent with leave—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Costello, | Matthews, | Stubbs, | Walker,   |
| Farris,   | Orchard,  | Tandy,  | Whaley—8. |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Clarke moved that the vote by which the bill was passed be reconsidered.

Senator Marshall moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 126 was taken up, read third time, and failed to pass by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Ramp,       |
| Clarke,   | Drabelle, | Martin,   | Schoenlaub, |
| Clay,     | Heather,  | Matthews, | Sullivan,   |
| Collins,  | Jewell,   | Morton,   | Thomas—17.  |
| Davisson, |           |           |             |

NAYS—Senators

|          |         |          |           |
|----------|---------|----------|-----------|
| Bradley, | Haynes, | Orchard, | Stubbs,   |
| Farris,  | Lee,    | Rubey,   | Zevely—9. |
| Fields,  |         |          |           |

Absent with leave—Senators

|           |        |         |           |
|-----------|--------|---------|-----------|
| Costello, | Smith, | Walker, | Whaley—6. |
| Rollins,  | Tandy, |         |           |

Sick—Senator Cooper—1.

Senator Davisson submitted the following report and moved that it be adopted.

Motion prevailed.

IN MEMORIAM.

MAJOR-GENERAL BENJAMIN M. PRENTISS.

Benjamin M. Prentiss was born at Belleville, Wood county, Virginia, on Tuesday, November 23, 1819, and died at Bethany, Harrison county, Missouri, on Friday, February 8th, 1901; aged 81 years, 2 months and 16 days.

## A TYPICAL SOLDIER.

General Prentiss was an ideal type of the volunteer soldier. He twice volunteered his services in the defense of his country. On June 8th, 1846, he volunteered as a soldier in the Mexican war, and was commissioned Captain of Company I, 1st regiment Illinois infantry.

In April, 1861, he took the first company of volunteer soldiers to Springfield, Illinois, and again volunteered his services. He was commissioned as Brigadier-General on the same day on which General Grant received a like commission.

## TWICE A HERO.

Few men have had the distinction of being twice a hero, but to General Prentiss this honor is due. He was the "Hero of Shiloh," and the "Hero of Helena." At both places the safety of the Union Army under Grant depended entirely upon the courage and military genius of General Prentiss.

## ALWAYS A HERO.

General Prentiss was no less a hero in civil life than in military service. His prejudices, if he possessed any, were asserted only when his convictions of right or wrong were aroused. His heroism in private life always manifest in the hour when "wrong" seemed to prevail, and when justice and right needed a defender.

## THE SADNESS OF A STATE.

The people of Missouri, in their representative capacity, hereby acknowledge the great services of this "Fallen Hero," and shed tears of sorrow upon his grave, and extend to the sons and daughters of this illustrious soldier and eminent citizen their sympathy in their irreparable loss.

"Sleep thy last sleep, O warrior, old and grey;  
Repose in peace beneath the grassy sod,  
No bugle call shall 'rouse thee till the day,  
When sounds the trumpet revile of God."

Done by order of a joint resolution offered by Senator Davisson on February 11th, 1901.

S. P. DAVISSON,  
JNO. W. DRABELLE,  
Committee of Senate.  
J. D. OFFICER,  
J. G. ORGAN,  
Committee of House.  
J. H. WHITCOTTON,  
Speaker of House.  
JOE TALL,  
Chief Clerk of House.

Attest: JOHN A. LEE,  
President of Senate.

CORNELIUS ROACH,  
Secretary of Senate.

The motion prevailed.

Senator Tandy was granted leave of absence on account of sickness.  
Senator Walker was granted leave of absence.

Senator Thomas called up House resolution fixing time of adjournment and moved that the resolution be adopted.

Senator Rubey moved as a substitute that the resolution be postponed until 10 a. m. tomorrow.

Roll call demanded, and motion lost by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Dowell,  
Fields,  
Haynes,

Heather,  
Marshall,  
Martin,

Morton,  
Rubey—11.

## NAYS—Senators,

Clarke,  
Collins,  
Costello,  
Davisson,  
Drabelle,  
Farris,  
Jewell,  
Lee,

Matthews,  
Orchard,  
Ramp,  
Schoenlaub,

Stubbs,  
Sullivan,  
Thomas,  
Zevly—16.

## Absent with leave—Senators

Rollins,  
Smith,  
Tandy,

Walker,

Whaley—5.

Sick—Senator Cooper—1.

Question recurring on motion to adopt resolution on adjournment.  
Roll call demanded and resolution adopted by the following vote:

## YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Clarke,   | Fields,  | Matthews,   | Smith,     |
| Collins,  | Haynes,  | Orchard,    | Stubbs,    |
| Costello, | Heather, | Ramp,       | Sullivan,  |
| Davison,  | Jewell,  | Rollins,    | Thomas,    |
| Drabelle, | Lee,     | Schoenlaub, | Zevely—21. |
| Farris,   |          |             |            |

## NAYS—Senators

|                            |         |           |          |
|----------------------------|---------|-----------|----------|
| Biggs,                     | Clay,   | Marshall, | Morton,  |
| Bradley,                   | Dowell, | Martin,   | Rubey—8. |
| Absent with leave—Senators |         |           |          |
| Tandy,                     | Walker, | Whaley—3. |          |
| Sick—Senator Cooper—1.     |         |           |          |

Senator Rubey moved that the Senate insist on amendment to House bill No. 609, and ask for Conference Committee.

The motion prevailed.

House bill No. 143, entitled

An act in relation to the Twenty-fifth judicial circuit, dividing the court into two divisions, providing two judges for the transaction of the business of said court, for the appointment of an additional judge, and fixing the salaries of said judges,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |           |             |
|----------|-----------|-----------|-------------|
| Biggs,   | Drabelle, | Marshall, | Schoenlaub, |
| Bradley, | Farris,   | Martin,   | Smith,      |
| Clarke,  | Fields,   | Morton,   | Stubbs,     |
| Clay,    | Haynes,   | Orchard,  | Sullivan,   |
| Collins, | Heather,  | Ramp,     | Thomas,     |
| Davison, | Lee,      | Rubey,    | Zevely—25.  |
| Dowell,  |           |           |             |

## NAYS—None.

Absent with leave—Senators

|                        |           |         |           |
|------------------------|-----------|---------|-----------|
| Costello,              | Matthews, | Tandy,  | Whaley—7. |
| Jewell,                | Rollins,  | Walker, |           |
| Sick—Senator Cooper—1. |           |         |           |

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Biggs,    | Dowell,  | Lee,      | Schoenlaub, |
| Bradley,  | Farris,  | Marshall, | Smith,      |
| Clarke,   | Fields,  | Martin,   | Stubbs,     |
| Clay,     | Haynes,  | Morton,   | Sullivan,   |
| Collins,  | Heather, | Orchard,  | Thomas,     |
| Costello, | Jewell,  | Ramp,     | Zevely—25.  |
| Davison,  |          |           |             |

## NAYS—None.

Absent with leave—Senators

|                        |          |         |           |
|------------------------|----------|---------|-----------|
| Drabelle,              | Rollins, | Tandy,  | Whaley—7. |
| Matthews,              | Rubey,   | Walker, |           |
| Sick—Senator Cooper—1. |          |         |           |

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which House bill No. 143, together with the emergency clause, was passed, be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

House bill No. 144, entitled

An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |           |             |
|----------|-----------|-----------|-------------|
| Biggs,   | Davisson, | Marshall, | Schoenlaub, |
| Bradley, | Drabelle, | Matthews, | Smith,      |
| Clarke,  | Fields,   | Morton,   | Stubbs,     |
| Clay,    | Haynes,   | Orchard,  | Thomas,     |
| Collins, | Lee,      | Ramp,     | Zevely—20.  |

## NAYS—Senators,

|                            |          |         |             |
|----------------------------|----------|---------|-------------|
| Dowell,                    | Farris,  | Martin, | Sullivan—4. |
| Absent with leave—Senators |          |         |             |
| Costello,                  | Jewell,  | Rubey,  | Walker,     |
| Heather,                   | Rollins, | Tandy,  | Whaley—8.   |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Thomas moved that the vote by which the bill passed be reconsidered.

Senator Lee moved to lay that motion on the table.

The latter motion prevailed.

Senator Lee moved that the vote by which House bill No. 126 failed to pass be reconsidered.

The motion prevailed.

House bill No. 126 entitled

An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitation of actions,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Schoenlaub, |
| Clarke,   | Drabelle, | Martin,   | Smith,      |
| Clay,     | Heather,  | Matthews, | Sullivan,   |
| Collins,  | Jewell,   | Morton,   | Thomas—19.  |
| Davisson, | Lee,      | Rollins,  |             |

## NAYS—Senators

|           |         |          |           |
|-----------|---------|----------|-----------|
| Bradley,  | Farris, | Haynes,  | Stubbs,   |
| Costello, | Fields, | Orchard, | Zevely—8. |

## Absent with leave—Senators

|        |        |         |           |
|--------|--------|---------|-----------|
| Ramp,  | Tandy, | Walker, | Whaley—5. |
| Rubey, |        |         |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Clarke moved that the vote by which the bill was passed be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 608, entitled

An act to provide for a State license tax on distilled liquors, including whisky, brandy, rum, gin and distilled spirits of all kinds, wines and all kinds of vinous liquors; to create the office of Special License Commissioner, to provide for the appointment thereof by the Governor,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The rules were suspended.

House bill No. 608 was taken up and, on motion of Senator Orchard, made a special order for 2 p. m. today.

House bill No. 282, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Marshall, | Rubey,      |
| Bradley,  | Drabelle, | Martin,   | Schoenlaub, |
| Clarke,   | Farris,   | Matthews, | Smith,      |
| Clay,     | Heather,  | Morton,   | Thomas,     |
| Collins,  | Jewell,   | Orchard,  | Zevely—23.  |
| Davisson, | Lee,      | Ramp,     |             |

NAYS—Senators

Costello, Sullivan—2.

Absent with leave—Senators

|         |          |         |           |
|---------|----------|---------|-----------|
| Fields, | Rollins, | Tandy,  | Whaley—7. |
| Haynes, | Stubbs,  | Walker, |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill was passed be reconsidered.

Senator Smith moved to lay that motion on the table.

The latter motion prevailed.

Senator Thomas called up House bill No. 375, and moved that the Senate recede from its amendments to the bill.

Senator Zevely moved as a substitute for that motion that the Senate adhere to its amendments.

The question recurring on the motion to recede from the amendments.

Roll call demanded.

The motion prevailed by the following vote:

YEAS—Senators

|          |           |          |            |
|----------|-----------|----------|------------|
| Biggs,   | Davisson, | Heather, | Ramp,      |
| Clarke,  | Farris,   | Jewell,  | Rubey,     |
| Clay,    | Fields,   | Lee,     | Stubbs,    |
| Collins, | Haynes,   | Orchard, | Thomas—16. |

NAYS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Bradley, | Drabelle, | Matthews,   | Sullivan,  |
| Cooper,  | Marshall, | Morton,     | Zevely—11. |
| Dowell,  | Martin,   | Schoenlaub, |            |

Absent with leave—Senators

|          |        |         |           |
|----------|--------|---------|-----------|
| Rollins, | Tandy, | Walker, | Whaley—5. |
| Smith,   |        |         |           |

Sick—Senator Cooper—1.

Senator Drabelle, from the Committee on Engrossed Bills, submitted the following report:

Mr. President: Your Committee on Engrossed Bills, to which was referred Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation,

Begs leave to report that it has compared the same and finds it

to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct;

Which was read.

Senator Costello, from the Committee on University, Normal Schools, Agriculture College and School of Mines, submitted the following report:

Mr. President: Your Committee on University, Normal Schools, Agricultural College and School of Mines, to which was referred House bill No. 534, entitled

An act establishing in the University of the State of Missouri a chair of dairy husbandry; authorizing and directing the Board of Curators of the University to appoint a professor of dairy husbandry; designating the duties of the professor of dairy husbandry; appropriating money therefor,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The rules were suspended.

Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Martin,   | Schoenlaub, |
| Bradley,  | Farris,   | Matthews, | Smith,      |
| Clarke,   | Fields,   | Morton,   | Stubbs,     |
| Collins,  | Haynes,   | Ramp,     | Sullivan,   |
| Costello, | Heather,  | Rollins,  | Thomas,     |
| Davisson, | Lee,      | Rubey,    | Zevelly—25. |
| Dowell,   |           |           |             |

NAYS—None.

Absent with leave—Senators

|         |           |         |           |
|---------|-----------|---------|-----------|
| Clay,   | Marshall, | Tandy,  | Whaley—7. |
| Jewell, | Orchard,  | Walker, |           |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

On motion of Senator Rollins, the Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The hour of recess having expired, the Senate was called to order by the President at 2 p. m.

Senator Dowell, from the Committee on Enrolled Bills, submitted the five following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred

Committee substitute for Senate bill No. 299, entitled

An act to create a commission to revise chapter 119 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said

commission and the powers and duties and for the making of a report of the work thereof;

Also, Senate bill No. 259, entitled

An act to repeal section 6168 of article 8 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof;

Also, Senate bill No. 133, entitled

An act to provide for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more;

Also, Senate bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities;

Also, Senate bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898.

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senate enrolled bill No. 133, entitled

An act to provide for the formation and disbursement of a public school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Committee substitute to Senate enrolled bill No. 299, entitled

An act to create a commission to revise chapter 149 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties and for the making of a report of the work thereof.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and im-

mediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 259, entitled

An act to repeal section 6168 of article 9 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled "Cities, towns and villages," and to enact a new section in lieu thereof,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 161, entitled

An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for time and money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, that the bill would be read at length, and that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 237, entitled

An act to establish a probation system for juvenile delinquents in certain cities,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The President announced the reception from the House of Representatives, House enrolled bill No. 390, entitled

An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled "Roads and highways," and enacting three new sections in lieu thereof, and to be known

as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and, unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 324, entitled

An act to amend article 5 of chapter 91 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section No. 6003a;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately return to the House.

Also, House bill No. 245, entitled

An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to the capital stock of railroad corporations;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill at length. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

House bill No. 277 was read at length, The President announced that unless objection was made, he would sign the bill to the end that become a law.

Senator Rubey objected to the signing of the bill.

The objection was sustained by the following vote:

#### YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Clay,     | Haynes,   | Ramp.    | Stubbs,    |
| Costello, | Lee,      | Rollins, | Sullivan,  |
| Dowell,   | Marshall, | Rubey,   | Whaley,    |
| Drabelle, | Matthews, | Smith,   | Zevely—18. |
| Flelds,   | Morton,   |          |            |

#### NAYS—Senators

|          |          |          |             |
|----------|----------|----------|-------------|
| Biggs,   | Collins, | Heather, | Schoenlaub, |
| Bradley, | Davison, | Jewell,  | Thomas—11.  |
| Clarke,  | Farris,  | Martin,  |             |

#### Absent with leave—Senators

|          |        |           |
|----------|--------|-----------|
| Orchard, | Tandy, | Walker—3. |
|----------|--------|-----------|

Sick—Senator Cooper—1.

The President announced the reception from the House of Representatives, House enrolled bill No. 469, entitled

An act to repeal section 10105, article 1, chapter 162 of Revised Statutes of Missouri, 1899, entitled "Stenographers in cities and coun-

ties having three hundred and fifty thousand or more inhabitants," and to enact a new section in lieu thereof, to be known as section 10105;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled committee substitute for House bill No. 66, entitled

An act to repeal section 148 of article 8, chapter 1 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 237, entitled

An act to make "Carleton's Abstracts" abstracts of land title in Pemiscot county, or certified copies of the entries therein, evidence in all courts and places in this State;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Also, House enrolled bill No. 61, entitled

An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled "Dower,"

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Senator Dowell, from the Committee on Enrolled Bills, submitted the three following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Re-

vised Statutes of the State of Missouri, 1899, entitled "Destruction of certain papers after five years;"

Also, Senate bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597;

Also, Senate bill No. 64, entitled

An act amending article 5 of chapter 91 of the Revised Statutes of 1899, relating to cities of the fourth class, by adding three new sections to said article, to be known as sections 6003a, 6003b and 6003c,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senate enrolled bill No. 87, entitled

An act to amend section 1795 of article 5 of chapter 14 of the Revised Statutes of the State of Missouri, 1899, entitled "Destruction of certain papers after five years,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 91, entitled

An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled "Pleading and the rules of pleading," and to enact a new section in lieu thereof, to be known as section 597,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 64, entitled

An act amending article 5 of chapter 91 of the Revised Statutes of 1899, relating to cities of the fourth class, by adding three new sections to said article, to be known as sections 6003a, 6003b and 6003c,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at

length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Drabelle called up Senate bill No. 328 and moved to reconsider the vote by which the bill passed.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes called up House bill No. 184, and offered the following amendments:

Senate amendments to House bill No. 184:

Amendment No. 1:

Amend House bill No. 184 by inserting between the words "amusement" and "so," in the 11th line of printed bill the following words: "Provided further, that the provisions of this act shall not apply to or be in force in cities of this State which now contain or which may hereafter contain one hundred and fifty thousand inhabitants or more, nor in force in counties adjoining such cities;"

Read first and second times and agreed to.

Amendment No. 2:

Amend House bill No. 184 by adding to the same, after the word "amusement," in line 80 of the printed bill, the following words: "Provided, further, that the provisions of this act shall not apply to or be in force in cities of this State which now contain or which may hereafter contain one hundred and fifty thousand inhabitants or more, nor in force in counties adjoining such cities;"

Read first and second times and agreed to.

House bill No. 184, as amended, entitled

An act to amend section 1187, chapter 12, article 3 of the Revised Statutes of the State of Missouri, relating to the powers of corporations,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Bradley,  | Drabelle, | Morton,  | Smith,     |
| Clarke,   | Haynes,   | Orchard, | Sullivan,  |
| Clay,     | Jewell,   | Ramp,    | Thomas,    |
| Costello, | Marshall, | Rollins, | Whaley,    |
| Craviss,  | Matthews, | Rubey,   | Zevely—21. |
| Dowell,   |           |          |            |

NAYS—Senators

|          |         |         |               |
|----------|---------|---------|---------------|
| Biggs,   | Farris, | Martin, | Schoenlaub—6. |
| Collins, | Lee,    |         |               |

Absent with leave—Senators

|          |         |        |           |
|----------|---------|--------|-----------|
| Fields,  | Stubbs, | Tandy, | Walker—5. |
| Heather, |         |        |           |

Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Haynes moved that the vote by which the bill passed be reconsidered.

Senator Marshall moved to lay that motion on the table.

The latter motion prevailed.

The five following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate bill No. 151, entitled

An act respecting the identification of criminals;

Also, Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations;"

Also, Senate bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," chapter 14, Revised Statutes of Missouri, 1899;

Also, that there has been introduced into and passed by the House, House bill No. 305, entitled

An act to repeal section 2266, article 8, Revised Statutes, 1899, relating to "Crimes and punishment," and enact a new section in lieu thereof. To prevent the sale and slaughter of "lump-jawed" cattle, etc.;

In which the concurrence of the Senate is respectfully requested;

Also, that the House has taken up and passed

Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—Board of Examiners;

Which were read.

Senator Orchard called up House bill No. 608.

Senator Morton offered the following amendment:

Senate amendment No. 1:

Amend printed House bill No. 608 by striking out the word "twenty," line seven, section 4, and insert in lieu thereof "ten;"

Which was read.

Senator Haynes offered the following amendment to the amendment:

Amend the amendment by striking out "10" and insert "5;"

Which was read and not agreed to.

The question recurring on the amendment.

Roll call demanded.

The amendment was agreed to by the following vote:

#### YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Bradley, | Drabelle, | Marshall,   | Smith,     |
| Clarke,  | Fields,   | Matthews,   | Stubbs,    |
| Collins, | Haynes,   | Morton,     | Tandy,     |
| Davison, | Heather,  | Schoenlaub, | Whaley—18. |
| Dowell,  | Jewell,   |             |            |

#### NAYS—Senators

|           |         |          |            |
|-----------|---------|----------|------------|
| Biggs,    | Farris, | Orchard, | Sullivan,  |
| Clay,     | Lee,    | Ramp,    | Thomas,    |
| Costello, | Martin, | Rubey,   | Zevely—12. |

Absent with leave—Senators

Rollins, Walker—2.

Sick—Senator Cooper—1.

House bill No. 608, as amended, entitled

An act to provide for a State license tax on distilled liquors, including whiskey, brandy, rum, gin and distilled spirits of all kinds, wines and all kinds of vinous liquors; to create the office of Special

License Commissioner, and to provide for the appointment thereof by the Governor,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,

Lee,  
Martin,  
Morton,  
Orchard,  
Rubey,

Stubbs,  
Sullivan,  
Tandy,  
Whaley,  
Zevely—22.

## NAYS—Senators

Clarke,  
Jewell,

Marshall,  
Matthews,

Ramp,  
Schoenlaub,

Smith,  
Thomas—8.

Absent with leave—Senators

Rollins, Walker—2.

Sick—Senator Cooper—1.

The emergency clause was adopted by the following vote:

## YEAS—Senators

Biggs,  
Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,

Dowell,  
Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,

Lee,  
Martin,  
Morton,  
Orchard,  
Rubey,  
Stubbs,

Sullivan,  
Tandy,  
Thomas,  
Whaley,  
Zevely—23.

## NAYS—Senators

Clarke,  
Jewell,

Marshall,  
Matthews,

Ramp,  
Schoenlaub,

Smith—7.

Absent with leave—Senators

Rollins, Walker—2.

Sick—Senator Cooper—1.

The title to the bill read and agreed to.

Senator Morton moved that the vote by which the bill and emergency clause passed be reconsidered.

Senator Lee moved to lay that motion on the table.

The latter motion prevailed.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts, with amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10;

Also, that there has been appointed a Conference Committee by the House to confer with a like committee to be appointed by the Senate on House bill No. 609, entitled

An act to appropriate money for the support of the State government the payment of the contingent and incidental expenses of the State department, public printing, etc.;

In which the concurrence of the Senate is respectfully requested; Which were read.

House joint and concurrent resolution No. 1, was taken up.

Senate amendment offered by Senator Dowell, being pending, the amendment was read.

Senator Orchard moved that the resolution with the amendment be referred to the Committee on Private Corporations.

Senator Martin moved as a substitute that resolution and amendment be made a special order for 7:30 p. m. today.

The motion was lost.

The question recurring on motion to refer, the motion was lost by the following vote:

## YEAS—Senators.

|                               |                 |                        |                      |
|-------------------------------|-----------------|------------------------|----------------------|
| Biggs,<br>Bradley,<br>Farris, | Jewell,<br>Lee, | Marshall,<br>Matthews, | Orchard,<br>Rubey—9. |
|-------------------------------|-----------------|------------------------|----------------------|

## NAYS—Senators

|  |   |                              |  |
|--|---|------------------------------|--|
| Clarke,<br>Clay,<br>Davisson,<br>Dowell, | Drabelle,<br>Fields,<br>Haynes,<br>Heather, | Martin,<br>Ramp,<br>Rollins, | Schoenlaub,<br>Sullivan,<br>Zevely—14. |
|--|---|------------------------------|--|

## Absent with leave—Senators

|                                  |                   |                   |                      |
|----------------------------------|-------------------|-------------------|----------------------|
| Collins,<br>Costello,<br>Morton, | Smith,<br>Stubbs, | Tandy,<br>Thomas, | Walker,<br>Whaley—9. |
|----------------------------------|-------------------|-------------------|----------------------|

Sick—Senator Cooper—1.

Senator Orchard offered the following amendment to the amendment:

Amend amendment No. 1 to House joint and concurrent resolution No. 1 by striking out the word “ten,” and insert the words “twenty-five;”

Which was not agreed to by the following vote:

## YEAS—Senators

|                               |                                    |                              |                      |
|-------------------------------|------------------------------------|------------------------------|----------------------|
| Bradley,<br>Drabelle,<br>Lee, | Marshall,<br>Matthews,<br>Orchard, | Rollins,<br>Rubey,<br>Smith, | Tandy,<br>Zevely—11. |
|-------------------------------|------------------------------------|------------------------------|----------------------|

## NAYS—Senators

|                            |                                  |                               |                                    |
|----------------------------|----------------------------------|-------------------------------|------------------------------------|
| Biggs,<br>Clarke,<br>Clay, | Collins,<br>Davisson,<br>Dowell, | Farris,<br>Fields,<br>Haynes, | Martin,<br>Ramp,<br>Schoenlaub—12. |
|----------------------------|----------------------------------|-------------------------------|------------------------------------|

## Absent with leave—Senators

|                                  |                    |                      |                      |
|----------------------------------|--------------------|----------------------|----------------------|
| Costello,<br>Heather,<br>Jewell, | Morton,<br>Stubbs, | Sullivan,<br>Thomas, | Walker,<br>Whaley—9. |
|----------------------------------|--------------------|----------------------|----------------------|

Sick—Senator Cooper—1.

The question recurring on the amendment.

Senate amendment No. 1:

Amend House joint and concurrent resolution No. 1 by striking out the word “five,” in the 16th line of printed bill, and insert in lieu thereof the word “ten;”

Read first and second times and agreed to.

Senator Martin offered the following amendment:

Amendment No. 2:

Amend House joint and concurrent resolution No. 1 by adding after the word “provisions,” in line 26 of the printed bill, these words: “Provided, nothing herein contained shall affect any local matter or matters of local nature, but shall apply only to laws having general application and affecting the people of the entire State;” and, provided, further, that nothing herein contained shall be construed to prohibit the Legislature from passing any law.

Roll call demanded.

Read and agreed to by the following vote:

## YEAS—Senators

|                                       |  |                          |                                  |
|---------------------------------------|--|--------------------------|----------------------------------|
| Biggs,<br>Clarke,<br>Clay,<br>Dowell, | Drabelle,<br>Fields,<br>Haynes,<br>Jewell, | Lee,<br>Martin,<br>Ramp, | Rollins,<br>Tandy,<br>Zevely—14. |
|---------------------------------------|--|--------------------------|----------------------------------|

## NAYS—Senators

|                                   |                                  |                       |                          |
|-----------------------------------|----------------------------------|-----------------------|--------------------------|
| Bradley,<br>Collins,<br>Davisson, | Farris,<br>Heather,<br>Marshall, | Matthews,<br>Orchard, | Rubey,<br>Schoenlaub—10. |
|-----------------------------------|----------------------------------|-----------------------|--------------------------|

## Absent with leave—Senators

|                      |                   |                      |                      |
|----------------------|-------------------|----------------------|----------------------|
| Costello,<br>Morton, | Smith,<br>Stubbs, | Sullivan,<br>Thomas, | Walker,<br>Whaley—8. |
|----------------------|-------------------|----------------------|----------------------|

Sick—Senator Cooper—1.

Senator Orchard offered the following amendment:

Amend House joint and concurrent resolution by adding between the words "local and matter," in the 9th line, the words "or public;"

Read and not agreed to.

House joint and concurrent resolution No. 1, as amended, was read third time and failed to pass by the following vote:

YEAS—Senators,

Biggs,  
Clay,  
Dowell,  
Drabelle,

Fields,  
Haynes,  
Jewell,  
Lee,

Martin,  
Ramp,  
Rubey,

Schoenlaub,  
Sullivan,  
Thomas—14.

NAYS—Senators

Bradley,  
Clarke,  
Davisson,

Farris,  
Heather,  
Marshall,

Matthews,  
Orchard,  
Rollins,

Smith,  
Tandy,  
Zevely—12.

Absent with leave—Senators

Collins,  
Costello,

Morton,  
Stubbs,

Walker,

Whaley—6.

Sick—Senator Cooper—1.

On motion of Senator Morton, the Senate adjourned until 10 a. m. tomorrow.

FIFTY-FIFTH DAY—Saturday, March 16, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Dowell, from the Committee on Enrolled Bills, submitted the three following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," of chapter 14 of Revised Statutes of Missouri, 1899;

Also, Senate bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—Board of Examiners;

Also, Senate bill No. 46, entitled

An act to create the office of License Collector, provide for the election of License Collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more, and to provide for the payment of the salaries and expenses of said office of License Collector;

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

The President of the Senate announced the following Conference Committee on House bill No. 609: Senators Drabelle, Thomas and Jewell.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri,  
Jefferson City, March 16, 1901.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 2, entitled "An act to amend chapter 83 of the Revised Statutes of 1899 by repealing section 5157, and enacting three new sections in lieu thereof, to be known as sections 5157, 5157a, 5157b, relating to municipal bonds and refunding municipal indebtedness."

Respectfully,  
A. M. DOCKERY, Governor.

Which was read.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred House bill No. 580, entitled

An act to amend section 7132 of article 4 chapter 102 of the Revised Statutes of Missouri of 1899, relating to primary elections in cities of 100,000 inhabitants or over,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

Senator Farris called up House amendments 1 to 10, inclusive, to Senate bill No. 313, and moved that the Senate do not concur, and ask for Conference Committee to be appointed.

Motion prevailed.

Senator Martin, from the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred House bill No. 512, entitled

An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of 1899, relating to the collector of the revenue,

Begs leave to report that it has examined the same and returns the same without recommendation;

Which was read.

Senator Rubey called up House bill No. 334.

Senator Rubey offered the following amendment:

Senate amendment No. 1:

Amend House bill No. 334, section 2, as follows: by striking out in lines 3 and 4 the words and figures "eighty-five thousand dollars (\$85,000)," and inserting in lieu thereof the words and figures "ninety thousand dollars (\$90,000);"

Which was read and adopted.

Senator Rubey moved that House bill No. 334, as amended, be read third time and placed upon its passage.

The motion prevailed.

House bill No. 334, entitled

An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |
|-----------|-----------|
| Biggs,    | Drabelle, |
| Bradley,  | Farris,   |
| Clarke,   | Fields,   |
| Clay,     | Heather,  |
| Collins,  | Jewell,   |
| Costello, | Lee,      |
| Dowell,   |           |

|           |
|-----------|
| Marshall, |
| Martin,   |
| Matthews, |
| Morton,   |
| Orchard,  |
| Ramp,     |

|             |
|-------------|
| Rubey,      |
| Schoenlaub, |
| Stubbs,     |
| Sullivan,   |
| Thomas,     |
| Zevly—25.   |

NAYS—None.

Absent with leave—Senators

|          |          |         |           |
|----------|----------|---------|-----------|
| Davison, | Rollins, | Tandy,  | Whaley—7. |
| Haynes,  | Smith,   | Walker, |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators,

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Farris,   | Martin,   | Schoenlaub. |
| Bradley,  | Fields,   | Matthews, | Smith,      |
| Clarke,   | Haynes,   | Morton,   | Stubbs,     |
| Costello, | Heather,  | Orchard,  | Sullivan,   |
| Davison,  | Jewell,   | Ramp,     | Thomas,     |
| Dowell,   | Lee,      | Rollins,  | Zevely—27.  |
| Drabelle, | Marshall, | Rubey,    |             |

NAYS—None.

Absent with leave—Senators

|          |        |         |           |
|----------|--------|---------|-----------|
| Clay,    | Tandy, | Walker, | Whaley—5. |
| Collins, |        |         |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rubey moved to reconsider the vote by which the bill passed.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey called up House bill No. 249, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 249, entitled

An act to appropriate the county foreign insurance tax fund for the years 1899 and 1900, and for the years 1901 and 1902, and distribute the same as provided in section 8047, chapter 119, article 8, Revised Statutes of 1899,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators,

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Rubey,      |
| Bradley,  | Farris,   | Martin,   | Schoenlaub, |
| Clarke,   | Fields,   | Matthews, | Smith,      |
| Clay,     | Haynes,   | Morton,   | Stubbs,     |
| Collins,  | Heather,  | Orchard,  | Sullivan,   |
| Costello, | Jewell,   | Ramp,     | Thomas,     |
| Davison,  | Lee,      | Rollins,  | Zevely—29.  |
| Dowell,   |           |           |             |

NAYS—None.

Absent with leave—Senators

|        |         |           |
|--------|---------|-----------|
| Tandy, | Walker, | Whaley—3. |
|--------|---------|-----------|

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Drabelle, | Marshall, | Rubey,      |
| Bradley,  | Farris,   | Martin,   | Schoenlaub, |
| Clarke,   | Fields,   | Matthews, | Smith,      |
| Clay,     | Haynes,   | Morton,   | Stubbs,     |
| Collins,  | Heather,  | Orchard,  | Sullivan,   |
| Costello, | Jewell,   | Ramp,     | Thomas,     |
| Davison,  | Lee,      | Rollins,  | Zevely—29.  |
| Dowell,   |           |           |             |

NAYS—None.

Absent with leave—Senators

|        |         |           |
|--------|---------|-----------|
| Tandy, | Walker, | Whaley—3. |
|--------|---------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rubey moved that the vote by which the bill passed be reconsidered.

Senator Bradley moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey called up House bill No. 312, and moved that the bill be read third time and put upon its passage.

House bill No. 312, entitled

An appropriation to reimburse John G. Evans of Boone county, Missouri,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Dowell,   | Matthews,   | Smith,     |
| Bradley,  | Drabelle, | Morton,     | Stubbs,    |
| Clarke,   | Farris,   | Orchard,    | Sullivan,  |
| Collins,  | Fields,   | Ramp,       | Thomas,    |
| Costello, | Lee,      | Rubey,      | Whaley,    |
| Davisson, | Martin,   | Schoenlaub, | Zevely—24. |

NAY—Senator Marshall—1.

Absent with leave—Senators

|         |          |         |            |
|---------|----------|---------|------------|
| Clay,   | Heather, | Jewell, | Rollins—5. |
| Haynes, |          |         |            |

Sick—Senators

|         |        |           |
|---------|--------|-----------|
| Cooper, | Tandy, | Walker—3. |
|---------|--------|-----------|

Title to the bill read and agreed to.

Senator Orchard moved that the vote by which House bill No. 312, was passed be reconsidered.

Senator Farris moved to lay that motion on the table.

The latter motion prevailed.

The eight following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General; prescribing his duties, providing for his appointment and abolishing the office of chief clerk in the office of the Attorney-General, with an emergency clause:

Also, Senate bill No. 273, entitled

An act to repeal section 8811 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines thereof and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause;

Also, Senate bill No. 90, entitled

An act to amend section 3024, article 2, chapter 22, Revised Statutes, 1899, relating to Excise Commissioner:

Also, committee substitute for Senate bill No. 144, entitled

An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of same, with emergency clause;

Also, Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right of way for railroad purposes, over the lands belonging to the State of Missouri for the use of said asylum, as amended, with an emergency clause;

Also, Senate bill No. 316, entitled

An act creating the office of County Auditor in certain counties, as amended;

Also, Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotel, boarding and lodging houses, school houses, opera houses, theatres and music halls, factories, office buildings, church buildings and all buildings where people congregate and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages and school houses and to protect and preserve human life, and to repeal all acts in conflict herewith;

Which were read.

Senator Orchard called up House bill No. 265, and moved that the bill be read the third time and put upon its passage.

The motion prevailed.

House bill No. 265, entitled

An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Marshall, | Smith,     |
| Bradley,  | Drabelle, | Martin,   | Sullivan,  |
| Clarke,   | Farris,   | Matthews, | Tandy,     |
| Clay,     | Haynes,   | Morton,   | Thomas,    |
| Collins,  | Heather,  | Orchard,  | Whaley,    |
| Costello, | Jewell,   | Ramp,     | Zevely—27. |
| Davison,  | Lee,      | Rubey,    |            |

NAY—Senator Fields—1.

Absent with leave—Senators

|          |             |         |           |
|----------|-------------|---------|-----------|
| Rollins, | Schoenlaub, | Stubbs, | Walker—4. |
|----------|-------------|---------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Orchard moved that the vote by which the bill passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senator Haynes called up House amendments to Senate bill No. 316, and moved that the Senate refused to concur.

The motion prevailed.

Senator Biggs called up the following resolution offered by himself yesterday that was laid over under the rules:

Whereas, House bill 224 passed the House on February 14 by a unanimous vote of that body; and,

Whereas, It has been in the Senate Committee on Railroads and Internal Improvements for the past month; and,

Whereas, This bill is of vital importance to the mercantile and shipping industries of this State; therefore be it

Resolved, That the chairman of the Committee on Railroads and Internal Improvements is hereby instructed to report on House bill No. 224 forthwith.

Senator Morton offered the following as a substitute for the resolution:

Resolved, That the chairmen of all committees be requested to return all bills now before their respective committees to the Senate at once.

Which was read.

Senator Farris moved to indefinitely postpone the substitute and the original amendment.

The latter motion prevailed by the following vote:

YEAS—Senators,

|          |           |             |            |
|----------|-----------|-------------|------------|
| Clarke,  | Jewell,   | Ramp,       | Sullivan,  |
| Collins, | Matthews, | Rollins,    | Thomas,    |
| Davison, | Morton,   | Schoenlaub, | Whaley,    |
| Farris,  | Orchard,  | Smith,      | Zevely—16. |

NAYS—Senators

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Biggs,    | Dowell,   | Heather,  | Rubey,    |
| Bradley,  | Drabelle, | Marshall, | Stubbs,   |
| Clay,     | Fields,   | Martin,   | Tandy—14. |
| Costello, | Haynes,   |           |           |

Absent with leave—Senators

Lee, Walker,

Sick—Senator Cooper—1.

Senator Thomas called up House bill No. 574 and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 574, entitled

An act to repeal section 4206, article 1, chapter 47, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 4206, relating to mechanics' liens,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Biggs,    | Dowell,   | Jewell,   | Schoenlaub, |
| Bradley,  | Drabelle, | Lee,      | Smith,      |
| Clarke,   | Farris,   | Marshall, | Tandy,      |
| Collins,  | Fields,   | Morton,   | Thomas,     |
| Costello, | Haynes,   | Ramp,     | Whaley,     |
| Davison,  | Heather,  | Rubey,    | Zevely—24.  |

NAYS—Senators

|         |           |            |
|---------|-----------|------------|
| Martin, | Matthews, | Rollins—3. |
|---------|-----------|------------|

Absent with leave—Senators

|          |         |           |           |
|----------|---------|-----------|-----------|
| Clay,    | Stubbs, | Sullivan, | Walker—5. |
| Orchard, |         |           |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Thomas moved that the vote by which the bill was passed be reconsidered.

Senator Drabelle moved to lay that motion on the table.

The latter motion prevailed.

Senator Drabelle called up House bill No. 288, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 288, entitled

An act amending section six thousand four hundred and sixty-nine of the Revised Statutes of 1899, relating to directors of public libraries,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |             |            |
|----------|-----------|-------------|------------|
| Biggs,   | Drabelle, | Martin,     | Tandy,     |
| Bradley, | Farris,   | Morton,     | Thomas,    |
| Clay,    | Fields,   | Ramp,       | Whaley,    |
| Collins, | Haynes,   | Rubey,      | Zevely—19. |
| Dowell,  | Heather,  | Schoenlaub, |            |

## NAYS—Senators,

|           |         |          |             |
|-----------|---------|----------|-------------|
| Clarke,   | Jewell, | Orchard, | Sullivan—7. |
| Davisson, | Lee,    | Rollins, |             |

## Absent with leave—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Costello, | Matthews, | Stubbs, | Walker—6. |
| Marshall, | Smith,    |         |           |

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Drabelle moved that the vote by which the bill was passed be reconsidered.

Senator Schoenlaub moved to lay that motion on the table.

The latter motion prevailed.

Senator Fields called up House bill No. 150, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 150, entitled

An act to repeal section 546 of article 1, chapter 8, Revised Statutes of Missouri, 1899, entitled "Code of civil procedure," and relating to the form of civil actions and the parties thereto, and to enact two new sections in lieu thereof, to be known as sections 546 and 546a.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Biggs,    | Dowell,   | Lee,      | Rubey,     |
| Bradley,  | Drabelle, | Marshall, | Stubbs,    |
| Clarke,   | Farris,   | Martin,   | Sullivan,  |
| Clay,     | Fields,   | Matthews, | Tandy,     |
| Collins,  | Haynes,   | Morton,   | Thomas,    |
| Costello, | Heather,  | Orchard,  | Whaley,    |
| Davisson, | Jewell,   | Ramp,     | Zevely—28. |

## NAY—Senator Rollins—1.

## Absent with leave—Senators

|             |        |           |
|-------------|--------|-----------|
| Schoenlaub, | Smith, | Walker—3. |
|-------------|--------|-----------|

## Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which the bill was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred House bill No. 235, entitled

An act to amend section 7084, chapter 102, article 2 of the Revised Statutes of 1899, to enable political parties when legally established to make party nominations without further petitions.

Begs leave to report that it has examined the same and reports same without recommendation;

Which was read.

Senator Bradley called up House bill No. 398, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 398, entitled

An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deed of trust or other contract lien, securing a debt, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Marshall,   | Smith,     |
| Bradley,  | Farris,   | Martin,     | Stubbs,    |
| Clay,     | Fields,   | Matthews,   | Sullivan,  |
| Collins,  | Haynes,   | Orchard,    | Tandy,     |
| Costello, | Heather,  | Ramp,       | Thomas,    |
| Davisson, | Jewell,   | Rubey,      | Whaley,    |
| Dowell,   | Lee,      | Schoenlaub, | Zevely—28. |

NAY—Senator Clarke—1.

Absent with leave—Senators

|         |          |           |
|---------|----------|-----------|
| Morton, | Rollins, | Walker—3. |
|---------|----------|-----------|

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Martin,     | Smith,     |
| Bradley,  | Farris,   | Matthews,   | Stubbs,    |
| Clarke,   | Fields,   | Morton,     | Sullivan,  |
| Clay,     | Haynes,   | Orchard,    | Tandy,     |
| Collins,  | Heather,  | Ramp,       | Thomas,    |
| Costello, | Jewell,   | Rollins,    | Whaley,    |
| Davisson, | Lee,      | Rubey,      | Zevely—31. |
| Dowell,   | Marshall, | Schoenlaub, |            |

NAYS—None.

Absent with leave—Senator Walker—1.

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Bradley moved that the vote by which the bill was passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

Senator Ramp called up House bill No. 236, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 236, entitled

An act to encourage the establishment of school libraries and to secure for them good books at least cost,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Drabelle, | Morton,     | Smith,     |
| Bradley,  | Farris,   | Ramp,       | Stubbs,    |
| Clarke,   | Haynes,   | Rollins,    | Tandy,     |
| Clay,     | Lee,      | Rubey,      | Thomas,    |
| Collins,  | Martin,   | Schoenlaub, | Zevely—22. |
| Davisson, | Matthews, |             |            |

NAYS—Senators

|                            |           |           |           |
|----------------------------|-----------|-----------|-----------|
| Costello,                  | Dowell,   | Fields,   | Whaley—4. |
| Absent with leave—Senators |           |           |           |
| Heather,                   | Marshall, | Sullivan, | Walker,   |
| Jewell,                    | Orchard,  |           |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Ramp moved that the vote by which the bill was passed be reconsidered.

Senator Whaley moved to lay that motion on the table.  
The latter motion prevailed.

Senator Whaley, from the Auditing Committee, submitted the following report:

Supplemental report of the Auditing Committee to the Senate and House of Representatives of the Forty-first General Assembly:

Your committee, appointed by the Governor to settle with the State Auditor and State Treasurer and examine the other State offices, begs leave to submit the following supplemental report: Under and in obedience to the resolution adopted by the House and Senate on Monday, March 11th, 1899, the committee made the entries on the books of the Auditor and Treasurer, showing the balances in the various funds, the total balance, etc.; destroyed, by burning, the warrants issued and paid for the years 1899 and 1900; and canceled the vouchers in the Auditor's office, allowed by the committee, by stamping them with a stamp bearing the word "canceled" and the signatures of the members of the committee.

The committee having fully completed the duties devolving upon them under the law now ask to be discharged.

All of which is respectfully submitted.

JOHN C. WHALEY,  
JAMES T. BLAIR,  
Committee.

Which was read.

Senator Haynes moved that the report be received and adopted and the committee discharged.

The motion prevailed.

Senator Heather called up House bill No. 534, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 534, entitled

An act establishing in the University of the State of Missouri a chair of dairy husbandry; authorizing and directing the Board of Curators of the University to appoint a professor of dairy husbandry; designating the duties of the professor of dairy husbandry; appropriating money therefor,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Fields,   | Morton,     | Smith,     |
| Bradley,  | Haynes,   | Orchard,    | Stubbs,    |
| Clay,     | Heather,  | Ramp,       | Tandy,     |
| Collins,  | Jewell,   | Rollins,    | Thomas,    |
| Costello, | Martin,   | Rubey,      | Whaley,    |
| Davisson, | Matthews, | Schoenlaub, | Zevely—25. |
| Drabelle, |           |             |            |

NAYS—Senators

|                            |         |             |
|----------------------------|---------|-------------|
| Dowell,                    | Lee,    | Marshall—3. |
| Absent with leave—Senators |         |             |
| Clarke,                    | Farris, | Sullivan,   |
| Sick—Senator Cooper—1.     |         | Walker—4.   |

The title to the bill was read and agreed to.

Senator Heather moved that the vote by which the bill was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senator Heather called up House bill No. 512, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 512, entitled

An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of 1899, relating to the collector of the revenue.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|   |  |   |   |
|---|--|---|---|
| Biggs,<br>Clarke,<br>Clay,<br>Collins,<br>Costello, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Heather, | Jewell,<br>Morton,<br>Orchard,<br>Ramp, | Rollins,<br>Rubey,<br>Schoenlaub,<br>Whaley—18. |
|---|--|---|---|

## NAYS—Senators

|                                  |                              |                      |                      |
|----------------------------------|------------------------------|----------------------|----------------------|
| Bradley,<br>Davisson,<br>Dowell, | Lee,<br>Marshall,<br>Martin, | Matthews,<br>Stubbs, | Tandy,<br>Zevely—10. |
|----------------------------------|------------------------------|----------------------|----------------------|

## Absent with leave—Senators

|        |           |         |           |
|--------|-----------|---------|-----------|
| Smith, | Sullivan, | Thomas, | Walker—4. |
|--------|-----------|---------|-----------|

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Heather moved that the vote by which the bill was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

The following communication was received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the Speaker has appointed Messrs. Kendrick, Hackney and Lane to confer with a like committee from the Senate regarding the difference now existing between the House and Senate on Senate bill No. 313, entitled

An act to divide the State into thirty-four Senatorial districts;  
Which was read.

Senator Heather called up House bill No. 20, and moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 20, was read third time and failed to pass by the following vote:

## YEAS—Senators

|                    |                       |         |           |
|--------------------|-----------------------|---------|-----------|
| Biggs,<br>Collins, | Heather,<br>Marshall, | Martin, | Zevely—6. |
|--------------------|-----------------------|---------|-----------|

## NAYS—Senators

|   |   |   |   |
|---|---|---|---|
| Bradley,<br>Clarke,<br>Clay,<br>Costello,<br>Davisson,<br>Dowell, | Drabelle,<br>Farris,<br>Fields,<br>Haynes,<br>Jewell,<br>Lee, | Matthews,<br>Morton,<br>Orchard,<br>Ramp,<br>Rollins,<br>Rubey, | Schoenlaub,<br>Stubbs,<br>Sullivan,<br>Tandy,<br>Whaley—23. |
|---|---|---|---|

## Absent with leave—Senators

|        |         |           |
|--------|---------|-----------|
| Smith, | Thomas, | Walker—3. |
|--------|---------|-----------|

Sick—Senator Cooper—1.

Senator Rollins moved that the vote by which the objections to the President signing House bill No. 277, were sustained, be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion was lost by the following vote:

## YEAS—Senators

|                                   |                    |                     |                      |
|-----------------------------------|--------------------|---------------------|----------------------|
| Costello,<br>Drabelle,<br>Fields, | Haynes,<br>Morton, | Rubey,<br>Sullivan, | Whaley,<br>Zevely—9. |
|-----------------------------------|--------------------|---------------------|----------------------|

## NAYS—Senators

|  |  |  |   |
|--|--|--|---|
| Biggs,<br>Clarke,<br>Clay,<br>Collins, | Davisson,<br>Dowell,<br>Farris,<br>Jewell, | Lee,<br>Martin,<br>Matthews,<br>Orchard, | Rollins,<br>Schoenlaub,<br>Tandy,<br>Thomas—16. |
|--|--|--|---|

## Absent with leave—Senators

|          |           |         |           |
|----------|-----------|---------|-----------|
| Bradley, | Marshall, | Smith,  | Walker—7. |
| Heather, | Ramp,     | Stubbs, |           |

Sick—Senator Cooper—1.

The question recurring on the motion to reconsider.

The motion was lost by the following vote:

## YEAS—Senators

|         |          |          |            |
|---------|----------|----------|------------|
| Biggs,  | Collins, | Jewell,  | Stubbs,    |
| Clarke, | Davison, | Martin,  | Tandy,     |
| Clay,   | Heather, | Rollins, | Thomas—12. |

## NAYS—Senators

|           |         |           |            |
|-----------|---------|-----------|------------|
| Bradley,  | Farris, | Matthews, | Sullivan,  |
| Costello, | Fields, | Morton,   | Whaley,    |
| Dowell,   | Haynes, | Orchard,  | Zevely—15. |
| Drabelle, | Lee,    | Rubey,    |            |

## Absent with leave—Senators

|           |             |        |           |
|-----------|-------------|--------|-----------|
| Marshall, | Schoenlaub, | Smith, | Walker—5. |
| Ramp,     |             |        |           |

Sick—Senator Cooper—1.

Senator Haynes called up House bill No. 416, and moved that it be read third time and put upon its passage.

House bill No. 416, entitled

An act to amend article 1, chapter 47 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 4227a.

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|          |           |          |            |
|----------|-----------|----------|------------|
| Biggs,   | Costello, | Jewell,  | Sullivan,  |
| Bradley, | Dowell,   | Morton,  | Tandy,     |
| Clarke,  | Farris,   | Orchard, | Thomas,    |
| Clay,    | Fields,   | Rubey,   | Zevely—19. |
| Collins, | Haynes,   | Smith,   |            |

## NAYS—Senators,

|          |      |               |
|----------|------|---------------|
| Davison, | Lee, | Schoenlaub—3. |
|----------|------|---------------|

## Absent with leave—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Drabelle, | Martin,   | Rollins, | Walker,    |
| Heather,  | Matthews, | Stubbs,  | Whaley—10. |
| Marshall, | Ramp,     |          |            |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Haynes moved that the vote by which the bill was passed be reconsidered.

Senator Thomas moved to lay that motion on the table.

The latter motion prevailed.

Senator Thomas moved that the House of Representatives be respectfully requested to return to the Senate, House bill No. 375, immediately.

The motion prevailed.

On motion of Senator Orchard, the Senate took a recess until 2 p. m.

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AFTERNOON SESSION.

The hour of recess having expired,

President Pro tem. Farris called the Senate to order.

Senator Dowell, from the Committee on Enrolled Bills, submitted the seven following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 151, entitled

An act respecting the identification of criminals;

Also, Senate bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner;

Also, Committee on Judiciary substitute for Senate bill No. 144, entitled

An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of the same;

Also, Senate bill No. 273, entitled

An act to repeal section 8811 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 322, entitled

An act to amend section 5066, chapter 80 article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines thereof, and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause;

Also, Senate bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment and abolishing the office of chief clerk in the office of the Attorney-General;

Also, Senate bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations,"

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

The President announced the following Committee of Conference on Senate bill No. 313, as follows: Senators Haynes, Thomas and Ramp.

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, as amended;

Also, Senate bill No. 338, entitled

An act to amend section 7691 of article 4 of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer" and to fix the fees to be paid therefor, with amendment No. 1;

Also, committee substitute for Senate bill No. 337, entitled

An act to authorize the Governor to compromise and settle all demands for inspection fees by the State arising prior to March 19th, 1901, under the act approved March 4th, 1899, and known as the "Beer Inspection law" and to remit all fines, penalties and forfeitures incurred under said act prior to March 19, 1901, by parties who shall comply with the provisions of this act; and to bar all prosecutions not now pending against such parties;

Which were read.

Senator Clay, from the Committee of Conference on House bill No. 467, submitted the following report:

Mr. President: Your Conference Committee appointed to consider House bill 467, with all its amendments, and to try to adjust the differences between the House and Senate thereon, beg leave to submit the following report:

Said committee reports and recommends that the Senate recede from amendment No. 1, except that in line 10 of section 2 the appropriation shall be and remain "to complete building, \$8,500," making a total appropriation under said section 2 of \$61,500.

Your committee further recommends that in amendment No. 2 to section 3 the Senate recede, except in line 4 of said section, the appropriation shall be "for salaries of officers, \$22,500," and in line 8 of said section 3 the appropriation shall be "for brick-making, \$2,000."

It is further recommended by your committee that amendment No. 2 be amended by striking out all, commencing with the word "provided," in line twelve, down to and including the word "necessary," in line twenty of said section.

Your committee further recommends that the House concur in amendment No. 3 to section No. 4.

Your committee also recommends that the Senate recede from amendment No. 4 to section 6, and offers the following new amendment: "Amend section 6 of House bill No. 467 by striking out of line 8 the words and figures 'for additional school building, \$18,000,' and inserting in lieu thereof the words and figures 'for Home for Little Children, \$24,000;,' also, by striking out of line 9 of section 6 the figures '\$164,000,' and insert in lieu thereof the figures '\$170,000.'"

Your committee further reports and recommends that the House concur in Senate amendments Nos. 5, 6 and 7.

Your committee further recommends that the Senate recede from amendment No. 8 to section 12, and substitute the following amendment:

Amend section 12 by striking out the same, and inserting in lieu thereof the following:

Section 12. For the Colony for Feeble-Minded and Epileptics at Marshall, the sum of \$150,000, as follows:

|  |         |
|--|---------|
| For salaries of officers.....  | \$5,700 |
| For support and maintenance.....   | 30,000  |
| For completion of unfinished buildings, and erection of other buildings..... | 40,000  |
| For power house, boiler plant, pumps and electric light plant.....           | 15,800  |
| For laundry, kitchen and store room.....                                     | 7,000   |
| For furnishing buildings.....  | 5,000   |
| For dairy barn and dairy stock.....  | 2,500   |
| For cottage for officers' quarters.....                                      | 6,000   |
| For equipping farm and improving grounds.....                                | 3,000   |

Total .....\$115,000

For additional cottages and for completion of unfinished buildings, to be appropriated out of any funds not otherwise appropriated..... 35,000

Total .....\$150,000

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Your committee further recommends that the Senate recede from amendment No. 9 to section 13, and substitutes therefor the following:

The following additional appropriation out of any funds not otherwise appropriated:

For new buildings, sewerage and other improvements.....\$45,000

Provided, that the money appropriated by this section, except that for salaries of officers, pay of employees, and support and maintenance, shall be paid out under the supervision of a commission consisting of three persons to be appointed by the Governor. Said commission to have all the powers as provided for in the original act, entitled "An act to establish an insane asylum in the southeastern portion of the State, to be known as State Lunatic Asylum No. 4, and to appropriate money therefor. Approved April 4, 1899.

Any liability or debt incurred in excess of the amount herein appropriated shall be chargeable to the person or persons authorizing or incurring the same.

Your committee further reports and recommends that the House concur in Senate amendments Nos. 10, 11, 12 and 13 to House bill No. 467.

Respectfully submitted,

JOHN S. CLAY,  
ERNEST D. MARTIN,  
S. P. DAVISSON,  
For the Senate.  
J. E. ORGAN,  
W. D. DELZELL,  
J. W. PALMER,  
For the House.

Senator Clay moved that the report be adopted.

The report was adopted by the following vote:

#### YEAS—Senators

Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Heather,  
Jewell,  
Lee,

Marshall,  
Martin,  
Matthews,  
Morton,  
Orchard,  
Rollins,

Rubey,  
Schoenlaub,  
Sullivan,  
Tandy,  
Whaley,  
Zevely—25.

NAYS—None.

## Absent with leave—Senators

|                   |                 |                    |           |
|-------------------|-----------------|--------------------|-----------|
| Biggs,<br>Haynes, | Ramp,<br>Smith, | Stubbs,<br>Thomas, | Walker—7. |
|-------------------|-----------------|--------------------|-----------|

Sick—Senator Cooper—1.

Senator Morton called up House amendments to Senate bill No. 338, and moved that the Senate concur therein.

House amendment No. 1 to Senate bill No. 338:

Amend Senate bill No. 338 by striking out the word "act" where the same occurs in the 13th and 17th lines of section 1 of the printed bill, and by inserting in lieu thereof the word "article,"

Was read and adopted by the following vote:

## YEAS—Senators

|   |  |   |   |
|---|--|---|---|
| Bradley,<br>Clarke,<br>Clay,<br>Costello,<br>Davisson,<br>Dowell, | Farris,<br>Fields,<br>Heather,<br>Jewell,<br>Lee,<br>Marshall, | Martin,<br>Matthews,<br>Morton,<br>Orchard,<br>Rollins, | Rubey,<br>Schoenlaub,<br>Sullivan,<br>Whaley,<br>Zevely—22. |
|---|--|---|---|

## NAYS—None.

## Absent with leave—Senators

|                                 |                            |                   |                       |
|---------------------------------|----------------------------|-------------------|-----------------------|
| Biggs,<br>Collins,<br>Drabelle, | Haynes,<br>Ramp,<br>Smith. | Stubbs,<br>Tandy, | Thomas,<br>Walker—10. |
|---------------------------------|----------------------------|-------------------|-----------------------|

Sick—Senator Cooper—1.

Senate bill No. 338, as amended, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|  |  |  |   |
|--|--|--|---|
| Bradley,<br>Clarke,<br>Clay,<br>Collins,<br>Costello,<br>Davisson, | Dowell,<br>Farris,<br>Fields,<br>Heather,<br>Jewell,<br>Lee, | Marshall,<br>Martin,<br>Matthews,<br>Morton,<br>Orchard,<br>Rubey, | Schoenlaub,<br>Smith,<br>Sullivan,<br>Whaley,<br>Zevely—23. |
|--|--|--|---|

## NAYS—None.

## Absent with leave—Senators

|                                |                   |                   |                      |
|--------------------------------|-------------------|-------------------|----------------------|
| Biggs,<br>Drabelle,<br>Haynes, | Ramp,<br>Rollins, | Stubbs,<br>Tandy, | Thomas,<br>Walker—9. |
|--------------------------------|-------------------|-------------------|----------------------|

Sick—Senator Cooper—1.

Senator Davisson moved that the vote by which the bill passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senator Jewell called up House bill No. 10, and moved that it be read third time and placed upon its passage.

The motion prevailed.

House bill No. 10 was taken up, read third time, and failed to pass by the following vote:

## YEAS—Senators

|                               |                                 |                              |                                   |
|-------------------------------|---------------------------------|------------------------------|-----------------------------------|
| Clarke,<br>Clay,<br>Costello, | Davisson,<br>Dowell,<br>Fields, | Jewell,<br>Martin,<br>Rubey, | Sullivan,<br>Tandy,<br>Thomas—12. |
|-------------------------------|---------------------------------|------------------------------|-----------------------------------|

## NAYS—Senators,

|                                 |                                    |                              |                        |
|---------------------------------|------------------------------------|------------------------------|------------------------|
| Bradley,<br>Collins,<br>Farris, | Heather,<br>Marshall,<br>Matthews, | Morton,<br>Orchard,<br>Ramp, | Rollins,<br>Whaley—11. |
|---------------------------------|------------------------------------|------------------------------|------------------------|

## Absent with leave—Senators

|                                |                     |                   |                      |
|--------------------------------|---------------------|-------------------|----------------------|
| Biggs,<br>Drabelle,<br>Haynes, | Lee,<br>Schoenlaub, | Smith,<br>Stubbs, | Walker,<br>Zevely—9. |
|--------------------------------|---------------------|-------------------|----------------------|

Sick—Senator Cooper—1.

Senator Davisson called up House bill No. 235, and moved that the rules be suspended and the bill be read third time and put upon its passage.

Senator Bradley moved as a substitute for that motion, that the bill be made a special order for Monday, March 18, 1901, at 10 a. m.

The latter motion was withdrawn.

The motion to read third time and place House bill No. 235 upon its passage prevailed.

House bill No. 235 was read third time, and failed to pass by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Clarke,   | Jewell,   | Rollins,  | Tandy,     |
| Davisson, | Lee,      | Stubbs,   | Thomas,    |
| Dowell,   | Matthews, | Sullivan, | Zevely—13. |
| Farris,   |           |           |            |

NAYS—Senators

|          |           |          |                |
|----------|-----------|----------|----------------|
| Bradley, | Haynes,   | Morton,  | Rubey,         |
| Collins, | Heather,  | Orchard, | Schoenlaub—10. |
| Fields,  | Marshall, |          |                |

Absent with leave—Senators

|           |           |        |           |
|-----------|-----------|--------|-----------|
| Biggs,    | Drabelle, | Ramp,  | Walker,   |
| Clay,     | Martin,   | Smith, | Whaley—9. |
| Costello, |           |        |           |

Sick—Senator Cooper—1.

Senator Morton called up House bill No. 342, and moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 342 entitled

An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class, with an emergency clause,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Bradley,  | Fields,   | Martin,  | Stubbs,    |
| Clarke,   | Haynes,   | Morton,  | Sullivan,  |
| Collins,  | Heather,  | Orchard, | Tandy,     |
| Costello, | Jewell,   | Rollins, | Thomas,    |
| Dowell,   | Lee,      | Rubey,   | Zevely—23. |
| Farris,   | Marshall, | Smith,   |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |           |
|-----------|-----------|-------------|-----------|
| Biggs,    | Drabelle, | Ramp,       | Walker,   |
| Clay,     | Matthews, | Schoenlaub, | Whaley—9. |
| Davisson, |           |             |           |

Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Drabelle, | Marshall,   | Smith,     |
| Clarke,   | Farris,   | Martin,     | Stubbs,    |
| Clay,     | Fields,   | Matthews,   | Sullivan,  |
| Collins,  | Haynes,   | Morton,     | Thomas,    |
| Costello, | Heather,  | Orchard,    | Whaley,    |
| Davisson, | Jewell,   | Schoenlaub, | Zevely—26. |
| Dowell,   | Lee,      |             |            |

NAYS—None.

Absent with leave—Senators

|        |          |        |           |
|--------|----------|--------|-----------|
| Biggs, | Rollins, | Tandy, | Walker—6. |
| Ramp,  | Rubey,   |        |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Morton moved that the vote by which the bill was passed be reconsidered.

Senator Dowell moved to lay that motion on the table.

The latter motion prevailed.

Senator Dowell called up House bill No. 440, and moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 440 was taken up, read third time, and failed to pass by the following vote:

YEAS—Senators—

|           |         |          |             |
|-----------|---------|----------|-------------|
| Bradley,  | Dowell, | Morton,  | Schoenlaub, |
| Clay,     | Fields, | Orchard, | Stubbs,     |
| Collins,  | Haynes, | Rollins, | Sullivan,   |
| Costello, | Martin, | Rubey,   | Thomas—17.  |
| Davisson, |         |          |             |

NAYS—Senators

|          |         |           |           |
|----------|---------|-----------|-----------|
| Clarke,  | Jewell, | Marshall, | Tandy,    |
| Farris,  | Lee,    | Matthews, | Whaley—9. |
| Heather, |         |           |           |

Absent with leave—Senators

|           |        |         |           |
|-----------|--------|---------|-----------|
| Biggs,    | Ramp,  | Walker, | Zevely—6. |
| Drabelle, | Smith, |         |           |

Sick—Senator Cooper—1.

On motion of Senator Haynes, Senate bills Nos. 156, 308 and 327 were indefinitely postponed.

Senator Haynes, from the Conference Committee on Senate bill No. 313, submitted the following report:

Mr. President: Your Committee on Conference, to which was referred the consideration of House amendments to Senate bill No. 313, begs leave to report as follows:

That the Conference Committee of both House and Senate met and carefully considered the amendments and recommends that the House recede from its amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 to said bill.

Respectfully submitted,

W. H. HAYNES,  
B. F. THOMAS,  
H. M. RAMP,

Senate Committee.  
CLARENCE KENDRICK,  
THOS. HACKNEY,  
GROVES M. LANE,  
House Committee.

Which was read.

Senator Haynes moved that the report of the Conference Committee on House bill No. 313 be adopted.

The motion prevailed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Bradley,  | Farris,   | Martin,   | Stubbs,    |
| Clarke,   | Fields,   | Matthews, | Sullivan,  |
| Clay,     | Haynes,   | Morton,   | Tandy,     |
| Costello, | Heather,  | Orchard,  | Thomas,    |
| Davisson, | Jewell,   | Rollins,  | Whaley,    |
| Dowell,   | Lee,      | Rubey,    | Zevely—26. |
| Drabelle, | Marshall, |           |            |

NAYS—None.

Absent with leave—Senators

|          |             |        |           |
|----------|-------------|--------|-----------|
| Biggs,   | Ramp,       | Smith, | Walker—6. |
| Collins, | Schoenlaub, |        |           |

Sick—Senator Cooper—1.

Senator Heather called up House bill No. 308, and moved that the pending committee amendment be adopted.

The motion prevailed.

Senator Heather moved that House bill No. 308, as amended, be read third time and put upon its passage.

The motion prevailed.

House bill No. 308, as amended, entitled

An act to repeal sections 3331, 3332, 3333 and 3336 of article 1, chapter 29, Revised Statutes of Missouri, 1899, entitled "Forcible entry and detainer," and to enact three new sections in lieu thereof, to be known as sections 3331, 3336 and 3345a, relating to proceedings before justices of the peace,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |
|-----------|----------|
| Bradley,  | Dowell,  |
| Clarke,   | Farris,  |
| Clay,     | Fields,  |
| Costello, | Haynes,  |
| Davisson, | Heather, |

|           |
|-----------|
| Lee,      |
| Marshall, |
| Martin,   |
| Morton,   |
| Orchard,  |

|            |
|------------|
| Stubbs,    |
| Sullivan,  |
| Thomas,    |
| Whaley,    |
| Zevely—20. |

NAY—Senator Rollins—1.

Absent with leave—Senators

|           |           |
|-----------|-----------|
| Biggs,    | Jewell,   |
| Collins,  | Matthews, |
| Drabelle, | Ramp,     |

|             |
|-------------|
| Rubey,      |
| Schoenlaub, |
| Smith,      |

|            |
|------------|
| Tandy,     |
| Walker—11. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Heather moved that the vote by which the bill was passed be reconsidered.

Senator Haynes moved to lay that motion on the table.

The latter motion prevailed.

Senator Orchard called up committee substitute for House bill No. 176, and moved that it be read third time and placed upon its passage.

Motion prevailed.

Committee substitute for House bill No. 176, entitled

An act to create the office of license collector, provide for the election of a license collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employees in said office, and define the duties thereof, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more, and to provide for the payment of the salaries and expenses, of said office of license collector,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |          |
|-----------|----------|
| Bradley,  | Dowell,  |
| Clarke,   | Fields,  |
| Clay,     | Haynes,  |
| Collins,  | Heather, |
| Costello, | Lee,     |
| Davisson, |          |

|           |
|-----------|
| Marshall, |
| Matthews, |
| Morton,   |
| Orchard,  |
| Rollins,  |

|            |
|------------|
| Rubey,     |
| Smith,     |
| Stubbs,    |
| Tandy,     |
| Zevely—21. |

NAYS—None.

Absent with leave—Senators

|           |         |
|-----------|---------|
| Biggs,    | Jewell, |
| Drabelle, | Martin, |
| Farris,   | Ramp,   |

|             |
|-------------|
| Schoenlaub, |
| Sullivan,   |
| Thomas,     |

|            |
|------------|
| Walker,    |
| Whaley—11. |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Orchard moved that the vote by which House bill No. 176 passed be reconsidered.

Senator Rollins moved to lay that motion on the table.

The latter motion prevailed.

The three following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Also, Senate bill No. 272, entitled

An act to repeal section 8818 of Revised Statutes of Missouri of 1899, and to enact a new section, to be known as section 8818, relating to health and safety of miners, report to the Governor, report of operators to the inspectors;

Also, Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Which were read.

Senator Rollins called up House bill No. 12, and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 12 was read third time, and failed to pass by the following vote:

YEAS—Senators

|                  |                       |        |           |
|------------------|-----------------------|--------|-----------|
| Clarke,<br>Clay, | Rollins,<br>Sullivan, | Tandy, | Zevely—6. |
|------------------|-----------------------|--------|-----------|

NAYS—Senators

|   |  |  |  |
|---|--|--|--|
| Bradley,<br>Costello,<br>Davisson,<br>Dowell, | Fields,<br>Haynes,<br>Heather,<br>Lee, | Marshall,<br>Martin,<br>Matthews,<br>Morton, | Rubey,<br>Schoenlaub,<br>Stubbs,<br>Whaley—16. |
|---|--|--|--|

Absent with leave—Senators

|                                 |                                |                 |                       |
|---------------------------------|--------------------------------|-----------------|-----------------------|
| Biggs,<br>Collins,<br>Drabelle, | Farris,<br>Jewell,<br>Orchard, | Ramp,<br>Smith, | Thomas,<br>Walker—10. |
|---------------------------------|--------------------------------|-----------------|-----------------------|

Sick—Senator Cooper—1.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide for the organization and government of such consolidated districts, with an emergency clause;

Also, Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause;

In which the concurrence of the Senate is respectfully requested;

Which were read.

Senator Matthews moved that the vote by which House bill No. 440 failed of passage be reconsidered.

The motion prevailed.

The question recurring on passage of House bill No. 440, the bill was taken up, and failed to pass by the following vote:

## YEAS—Senators

Clay,  
Davisson,  
Dowell,  
Drabelle,

Fields,  
Haynes,  
Heather,  
Jewell,

Lee,  
Martin,  
Rollins,  
Rubey,

Smith,  
Stubbs,  
Sullivan—15.

## NAYS—Senators

Bradley,  
Clarke,

Costello,  
Matthews,

Tandy,  
Whaley,

Zevely—7.

## Absent with leave—Senators

Biggs,  
Collins,  
Farris,

Marshall,  
Morton,  
Orchard,

Ramp,  
Schoenlaub,

Thomas,  
Walker—10.

## Sick—Senator Cooper—1.

Senator Davisson, by unanimous consent, introduced the following resolution:

Resolved, That the Committee on Accounts be instructed to have a warrant drawn for 38 days in favor of Mrs. Kate Martin as minute clerk for the late Senator Thos. C. Martin.

Which was read and adopted.

Senator Drabelle, from the Conference Committee on House bill No. 609, submitted the following report, and moved that it be adopted:

Mr. President: Your Committee on Conference appointed to confer with a like committee appointed on the part of the House to consider the differences between the Senate and House on Senate amendments Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 to House bill No. 609, begs leave to report that it has carefully considered the same, and recommends that the House concur in Senate amendments Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20 and 21.

Your Conference Committee further report that Senate amendment No. 4 be stricken out, and the following amendment substituted in lieu thereof:

Amend section 14 as follows: By striking out all after semi-colon, in line 7, and inserting in lieu thereof "repairs and furnishings of mansion, (\$2,000) two thousand dollars; for improvements of grounds surrounding the mansion, five hundred dollars (\$500);" in all, eight thousand, six hundred dollars (\$8,600).

Your Committee on Conference further recommends that Senate amendment No. 18 be stricken out, and the following amendment substituted in lieu thereof:

Sec. 50. There is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000), to be drawn from time to time as may be necessary upon proper vouchers, to be approved by the Governor and Attorney-General, which sum shall be expended under the direction of the Attorney-General for all necessary traveling expenses, costs of litigation, gathering and compiling testimony, for service of experts in bacteriology in chemical analysis, if necessary, and in any other proper and necessary manner to protect the interests of the State, and prosecute the litigation in the case of the State of Missouri, complainant, vs. the State of Illinois and the Sanitary District of Chicago, defendants, pending in the Supreme Court of the United States: Provided, the city of St. Louis shall appropriate and set apart and expend a sum equal to the above amount to assist the State of Missouri in prosecuting said suit.

Your committee further recommends that section 7 of said bill be amended by inserting in line 2, after the word "expressage," the words and figures "one hundred and fifty dollars (\$150.00) for carpet."

Your committee further recommends that section 45 of said bill be amended by striking out of lines 1 and 2 of said section the words and figures "fifty thousand dollars (\$50,000)," and inserting in lieu thereof the words and figures "one hundred thousand dollars (\$100,000)."

Your committee further recommends that House bill No. 609 be further amended by adding thereto a new section, to be known as section 56, to read as follows:

Sec. 56. There is hereby appropriated out of the State treasury, chargeable to the General Revenue fund, for the years 1901 and 1902, to pay the salary of the judge who shall be appointed by the Governor for the new judicial district created by the judicial apportionment bill passed by this General Assembly, the sum of four thousand dollars (\$4,000).

Your committee further recommends that House bill No. 609 be amended by adding thereto a new section, to be known as section 57, to read as follows:

Sec. 57. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of one thousand five hundred dollars (\$1,500), to be expended under the direction, and in the discretion of the Governor, Secretary of State, and State Auditor, to erect a monument at the grave of Colonel Thomas H. Benton in Bellefontaine cemetery in St. Louis.

Your committee further recommends that House bill No. 609 be amended by adding thereto a new section, to be known as section 58, to read as follows:

Sec. 58. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of one thousand five hundred dollars (\$1,500), to be expended under the direction, and in the discretion of the Governor, Secretary of State and State Auditor, to erect a monument at the grave of Governor Robert M. Stewart at St. Joseph, Missouri.

All of which is respectfully submitted.

JOHN W. DRABELLE,

B. F. THOMAS,

J. L. JEWELL.

On the Part of Senate.

A. B. DUNCAN,

MARCUS E. GETCHELL,

On the Part of House.

The report of the committee failed of adoption by the following vote:

## YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Davisson, | Martin,   | Orchard,  | Thomas.    |
| Drabelle, | Matthews, | Rollins,  | Whaley.    |
| Haynes,   | Morton,   | Sullivan, | Zevely—13. |
| Jewell,   |           |           |            |

## NAYS—Senators

|           |          |             |           |
|-----------|----------|-------------|-----------|
| Bradley,  | Dowell,  | Lee,        | Smith,    |
| Clay,     | Farris,  | Marshall,   | Stubbs,   |
| Collins,  | Fields,  | Rubey,      | Tanly—15. |
| Costello, | Heather, | Schoenlaub, |           |

## Absent with leave—Senators

|              |           |       |           |
|--------------|-----------|-------|-----------|
| Biggs,       | Clarke,   | Ramp, | Walker—4. |
| Sick—Senator | Cooper—1. |       |           |

Senator Morton called up House bill No. 538 and moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 538, entitled

An act to amend section 4788, article 2, chapter 69, Revised Statutes of Missouri, 1899, relating to animals,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Jewell,   | Orchard,    | Sullivan,  |
| Clarke,   | Lee,      | Rollins,    | Tandy,     |
| Clay,     | Marshall, | Rubey,      | Thomas,    |
| Costello, | Martin,   | Schoenlaub, | Whaley,    |
| Dowell,   | Matthews, | Smith,      | Zevely—23. |
| Haynes,   | Morton,   | Stubbs,     |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |          |           |
|-----------|-----------|----------|-----------|
| Biggs,    | Drabelle, | Fields,  | Ramp,     |
| Collins,  | Farris,   | Heather, | Walker—9. |
| Davisson, |           |          |           |

## Sick—Senator Cooper—1.

The emergency clause to the bill was adopted by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Haynes,   | Morton,     | Stubbs,    |
| Clarke,   | Heather,  | Orchard,    | Sullivan,  |
| Clay,     | Jewell,   | Ramp,       | Tandy,     |
| Collins,  | Lee,      | Rollins,    | Thomas,    |
| Costello, | Marshall, | Rubey,      | Whaley,    |
| Dowell,   | Martin,   | Schoenlaub, | Zevely—27. |
| Fields,   | Matthews, | Smith,      |            |

## NAYS—None.

## Absent with leave—Senators

|           |           |         |           |
|-----------|-----------|---------|-----------|
| Biggs,    | Drabelle, | Farris, | Walker—5. |
| Davisson, |           |         |           |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Morton moved that the vote by which the bill, together with the emergency clause, was passed, be reconsidered.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senate bill No. 339, entitled

An act to create sanitary districts in the State of Missouri,

Was taken up, read second time and referred to Committee of the Whole.

The President takes the chair.

Senator Clay called up House amendments Nos. 1 and 2 to Senate bill No. 290 and moved that the Senate concur.

## Amendment No. 1:

Amend section 1 of Senate bill No. 290 by inserting between the word "managers" and the word "of," in line one of said section, the words "or commissioners;" also by inserting in line 18, between the word "managers" and the word "are," the words "or commissioners."

## Amendment No. 2:

Amend section 2 of Senate bill No. 290 by inserting in line 2, between the word "managers" and the word "or," the words "or commissioners."

The amendments were concurred in by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Clarke,   | Haynes,   | Morton,     | Stubbs,    |
| Clay,     | Jewell,   | Orchard,    | Sullivan,  |
| Collins,  | Lee,      | Rollins,    | Tandy,     |
| Costello, | Marshall, | Rubey,      | Thomas,    |
| Davisson, | Martin,   | Schoenlaub, | Whaley,    |
| Dowell,   | Matthews, | Smith,      | Zevely—25. |
| Fields,   |           |             |            |

## NAYS—None.

## Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Biggs,   | Drabelle, | Heather, | Walker—7. |
| Bradley, | Farris,   | Ramp,    |           |

## Sick—Senator Cooper—1.

Amend the title to Senate bill No. 290 by inserting between the word "manager" and the word "of" the words "or commissioners."

Amendment to title read first and second times and agreed to.

Title, as amended, was read and agreed to.

Senator Haynes called up House bill No. 199 and moved that the bill be read third time and put upon its passage.

The motion prevailed.

House bill No. 199, entitled

An act to amend section 6574 of the Revised Statutes of the State of Missouri 1899, entitled "Official oath, etc.," and pertaining to commissioners of deeds,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Clarke,   | Haynes,   | Matthews,   | Stubbs,    |
| Collins,  | Heather,  | Morton,     | Sullivan,  |
| Davisson, | Jewell,   | Orchard,    | Tandy,     |
| Dowell,   | Lee,      | Rubey,      | Thomas,    |
| Drabelle, | Marshall, | Schoenlaub, | Whaley,    |
| Fields,   | Martin,   | Smith,      | Whaley—24. |

## NAYS—None.

## Absent with leave—Senators

|          |           |         |           |
|----------|-----------|---------|-----------|
| Biggs,   | Clay,     | Farris, | Rollins,  |
| Bradley, | Costello, | Ramp,   | Walker—8. |

## Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Haynes moved that the vote by which the bill was passed be reconsidered.

Senator Morton moved to lay that motion on the table.

The latter motion prevailed.

Senator Morton called up House bill No. 349 and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 349, entitled

An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

Bradley,  
Clay,  
Collins,  
Costello,  
Davisson,  
Dowell,

Drabelle,  
Farris,  
Fields,  
Haynes,  
Heather,  
Jewell,

Lee,  
Morton,  
Orchard,  
Rollins,  
Rubey,  
Schoenlaub,

Smith,  
Stubbs,  
Tandy,  
Thomas,  
Zevely—23.

## NAYS—Senators

Martin,

Matthews,

Sullivan—3.

Absent with leave—Senators

Biggs,  
Clarke,

Marshall,  
Ramp,

Walker,

Whaley—6.

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Martin moved that the vote by which the bill was passed be reconsidered.

Senator Heather moved to lay that motion on the table.

The latter motion prevailed.

Senator Stubbs called up House bill No. 155 and moved that it be read third time and placed upon its passage.

The motion prevailed.

House bill No. 155, entitled

An act to repeal section 9084, chapter 147, article IV, of the Revised Statutes of the State of Missouri, in relation to surplus fees of recorders of deeds, and enacting in lieu thereof a new section, to be known as section 9084,

Was read third time, and failed to pass by the following vote:

## YEAS—Senators

Fields,

Stubbs—2.

## NAYS—Senators,

Bradley,  
Clarke,  
Clay,  
Collins,  
Costello,

Dowell,  
Drabelle,  
Farris,  
Heather,  
Jewell,

Martin,  
Matthews,  
Morton,  
Orchard,  
Rollins,

Rubey,  
Schoenlaub,  
Sullivan,  
Thomas,  
Whaley—20.

Absent with leave—Senators

Biggs,  
Davisson,  
Haynes,

Lee,  
Marshall,  
Ramp,

Smith,  
Tandy,

Walker,  
Zevely—10.

Sick—Senator Cooper—1.

Senator Farris moved that another conference committee be appointed to confer with a similar committee from the House of Representatives on House bill No. 609.

The motion prevailed.

The Chair announced the following named Senators as members of the Conference Committee: Clarke, Stubbs and Collins.

On motion of Senator Dowell, the Senate took a recess until 7:30 p. m.

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## NIGHT SESSION.

The President called the Senate to order at 7:30 p. m.

Senate enrolled bill No. 325, entitled

An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled "Mutual saving fund, building and loan associations,"

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 90, entitled

An act to amend article 2, chapter 22, section 3024, of the Revised Statutes of 1899, relating to Excise Commissioner,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 151, entitled

An act respecting the identification of criminals,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Committee substitute for Senate enrolled bill No. 144, entitled

An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of the same,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 322, entitled

An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "seventy-five dollars in any one month," in the ninth and tenth lines

thereof, and inserting in lieu thereof the words "fifteen hundred dollars in any one year," with emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 315, entitled

An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment and abolishing the office of Chief Clerk in the office of the Attorney-General.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 273, entitled

An act to repeal section 8811 of article 2, chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 305, entitled

An act to amend section 1734 of article 3, entitled "Circuit courts," of chapter 14 of Revised Statutes of Missouri, 1899.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 73, entitled

An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—Board of Examiners,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 46, entitled

An act to create the office of license collector, provide for the election of license collector, regulate his salary, and the salaries and compensation of deputy license collectors, clerks and employes in said office, and define the duties thereof, in cities now having, or which hereafter may have three hundred thousand inhabitants, or more, and to provide for the payment of the salaries and expenses of said office of license collector,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Dowell, from the Committee on Enrolled Bills, submitted the six following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred committee substitute for Senate bill No. 337, entitled

An act to authorize the Governor to compromise and settle all demands for inspection fees by the State arising prior to March 19th, 1901, under the act approved May 4th 1899, and known as the "Beer Inspection law;" and to remit all fines, penalties and forfeitures incurred under said act prior to March 19th, 1901, by parties who shall comply with the provisions of this act; and to bar all prosecutions not now pending against such parties;

Also, Senate bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide for the organization and government of such consolidated districts, with an emergency clause:

Also, Senate bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause;

Also, Senate bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses opera houses, theaters, music halls, factories, office buildings, church buildings, and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith;

Also, Senate bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor;

Also, Senate bill No. 321, entitled

An act to amend section 9831 of chapter 154, article I, of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Begs leave to report that it has compared the same and find them to be truly enrolled;

Which were read.

Committee substitute for Senate enrolled bill No. 337, entitled

An act to authorize the Governor to compromise and settle all demands for inspection fees by the State arising prior to March 19th, 1901, under the act approved May 4th, 1899, and known as the "Beer Inspection law;" and to remit all fines, penalties and forfeitures incurred under said act prior to March 19th, 1901, by parties who shall comply with the provisions of this act; and to bar all prosecutions not now pending against such parties.

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 338, entitled

An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled "Inspection of beer," and to fix the fees to be paid therefor,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 248, entitled

An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and a high school, and to provide

for the organization and government of such consolidated districts, with an emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 323, entitled

An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words "one hundred thousand," in the second and third lines of said section, and inserting in lieu thereof the words "one hundred and fifty thousand," with an emergency clause,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 255, entitled

An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theaters, music halls, factories, office buildings, church buildings, and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 321, entitled

An act to amend section 9831 of chapter 154, article 1, of the Revised Statutes of the State of Missouri, 1899, relating to schools,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed

the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The President announced the reception from the House of Representatives, committee substitute for House enrolled bill No. 5, entitled

An act authorizing the appointment of a commission to ascertain and determine the positions of Missouri troops in the siege and defense of Vicksburg, and to make an appropriation to pay the necessary traveling expenses of said commission;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 629, entitled

An act to amend section 1423, chapter XII, article II, of the Revised Statutes of the State of Missouri, of 1899, in relation to private corporations;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 593, entitled

An act to appropriate money for the support, maintenance and improvement of the State University and other educational institutions during the years 1901 and 1902;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 290, entitled

An act to perpetuate and preserve evidence explaining defects in the chain of title to real estate;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no

other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled revised bill No. 482, entitled

An act to repeal section 9441, article 1, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 9441;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 287, entitled.

An act relating to county clerks retaining certain fees arising from official work performed under the ditching and drainage law, in addition to fees allowed for other work under the statutes of 1899;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 215, entitled

An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 234, entitled

An act changing the names of certain eleemosynary institutions;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 64, entitled

An act to amend article 2, chapter 14, of the Revised Statutes by adding a new section to be numbered 1649a, relating to the jurisdiction of the Courts of Appeal, with an emergency clause;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length;

that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, committee substitute for House enrolled bill No. 197, entitled An act providing for the appointment of park commissioners in cities of the second class;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 622, entitled

An act to provide for the construction of railroad bridges over rivers, the navigable portions of which lie wholly within the State of Missouri;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 396, entitled

An act to authorize receivers, assignees, guardians, trustees, executors, administrators, curators or other fiduciaries, or any party in any civil proceeding or suit, to recover the cost of corporate suretyship;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, House enrolled bill No. 267, entitled

An act for the relief of Edw. J. White and Mrs. Maud L. W. Stevenson;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, committee substitute for House enrolled bill No. 85, entitled

An act to amend section 10137, chapter 163, entitled "Strays" and relating to notice and bond;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 358, entitled

An act to repeal section 4149, of chapter 44, of the Revised Statutes of Missouri, of 1899, entitled "Landlords and tenants," and relating to changes of venue under said chapter, and to enact a new section in lieu thereof;

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled committee substitute for House bills Nos. 56, 104 and 30, entitled

An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections, to be known as sections 9696a, 9696b, 9696c, 9696d, 9696e, 9696f, 9696g, 9696h, 9696i, 9696j, 9696k, 9696l, 9696m, 9696n, 9696o, 9696p, 9696q, 9696r, 9696s, 9696t, 9696u, 9696v, 9696w, 9696x, 9696y, 9696z, with an emergency clause:

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, committee substitute for House enrolled bill No. 331, entitled

An act providing for the holding of primary elections in counties having over one hundred and seventy-five thousand inhabitants;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House;

Also, House enrolled bill No. 634, entitled

An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act

of Congress of the United States, to be held in the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana Territory by the United States, and for an appropriation to pay the cost and expenses of the same, with an emergency clause.

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 143, entitled

An act in relation to the Twenty-fifth judicial circuit, dividing the court into two divisions, providing two judges for the transaction of the business of said court, for the appointment of an additional judge, and fixing the salaries of said judges,

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled House bill No. 144, entitled

An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House;

Also, enrolled committee substitute for House bills Nos. 254 and 258, entitled

An act to repeal sections 5898 and 5907 of article 5, chapter 91 of the Revised Statutes of Missouri of 1899, with an emergency clause,

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the substitute read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the substitute. The substitute was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the substitute was immediately returned to the House.

Senate committee substitute for substitute for House joint and concurrent resolution No. 12.

Providing for the amendment of article 10 of the Constitution of Missouri by adding a new section after section 12 of the said article to be known as section 12a of said article relating to the limits of indebtedness of certain cities.

The President announced the reception from the House of Representatives of House enrolled bills, as follows:

Committee substitute for House bill No. 257, entitled

An act providing for the semi-monthly payment of employes of manufactories;

Also, House bill No. 615, entitled

An act to divide the State into sixteen Congressional districts;

Also, House bill No. 355, entitled

An act to enact new section of article 1, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with emergency clause;

Also, House bill No. 282, entitled

An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses by striking out certain words;

Also, House bill No. 531, entitled

An act to amend article 3 of chapter 15 of the Revised Statutes of Missouri, 1899, relating to offense against public and private property, by adding a new section thereto, to be known as section 1887a;

Also, House bill No. 611, entitled

An act to appropriate the moneys accruing into the "State Fair fund" to the Board of Directors of the State Fair, to be expended in the establishment and maintenance of the Missouri State Fair;

Also, House joint and concurrent resolution No. 24:

Asking Congress to donate all the government lands in Missouri, to the State for public school purposes;

Also, House bill No. 399, entitled

An act to amend section 3253 of the Revised Statutes of the State of Missouri for 1899, entitled "Fees of constables;"

Also, House bill No. 619, entitled

An act to amend section 5982 of article 5, chapter 91 of the Revised Statutes of Missouri to enable cities of the fourth class to issue bonds for the purpose of macadamizing, paving, guttering and curbing streets by enacting a new section, to be known as section 5982a;

Also, House bill No. 400, entitled

An act to amend section 3261 of the Revised Statutes of the State of Missouri for 1899, relating "fees of justices of the peace,"

And announced immediately after the reception of each bill, that the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length, and that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and each of said bills were immediately delivered back to the officers of the House.

Senator Drabelle called up House bill No. 549 and moved that it be read third time and put upon its passage.

The motion prevailed.

House bill No. 549, entitled

An act to prohibit the buying, receiving or taking of any personal property, goods, wares or merchandise of any value by any pawn-broker, junk dealer, dealer in second-hand goods or merchant from any minor without the consent of such minor's parents or guardians had in writing and to provide a penalty for the violation of this act,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Bradley,  | Drabelle, | Lee,      | Rubey,     |
| Clarke,   | Fields,   | Marshall, | Stubbs,    |
| Collins,  | Haynes,   | Martin,   | Thomas,    |
| Costello, | Heather,  | Matthews, | Whaley,    |
| Davisson, | Jewell,   | Morton,   | Zevely—21. |
| Dowell,   |           |           |            |

NAYS—None.

Absent with leave—Senators

|         |          |             |            |
|---------|----------|-------------|------------|
| Biggs,  | Orchard, | Schoenlaub, | Tandy,     |
| Clay,   | Ramp,    | Smith,      | Walker—11. |
| Farris, | Rollins, | Sullivan,   |            |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Rollins moved that the vote by which the bill was passed be reconsidered.

The motion prevailed.

Senator Drabelle moved that the vote by which the bill was ordered read third time be reconsidered.

The motion prevailed.

Senator Lee moved that House bill No. 549 be read third time and put upon its passage.

The motion prevailed.

House bill No. 549 was taken up, read third time, and failed to pass by the following vote:

YEAS—Senators

|           |         |             |           |
|-----------|---------|-------------|-----------|
| Collins,  | Jewell, | Schoenlaub, | Thomas—6. |
| Drabelle, | Martin, |             |           |

NAYS—Senators

|           |         |           |            |
|-----------|---------|-----------|------------|
| Bradley,  | Dowell, | Marshall, | Rubey,     |
| Clarke,   | Farris, | Matthews, | Smith,     |
| Clay,     | Fields, | Morton,   | Stubbs,    |
| Costello, | Haynes, | Orchard,  | Whaley,    |
| Davisson, | Lee,    | Rollins,  | Zevely—20. |

Absent with leave—Senators

|          |           |        |           |
|----------|-----------|--------|-----------|
| Biggs,   | Ramp,     | Tandy, | Walker—6. |
| Heather, | Sullivan, |        |           |

Sick—Senator Cooper—1.

Senator Collins, from the Committee on Conference on House bill No. 609, submitted the following report:

Mr. President: Your Committee on Conference, appointed to confer with a like committee appointed on the part of the House, to consider the differences between the Senate and House on Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 to House bill No. 609,

Begs leave to report that they have carefully considered the same and recommends that the House concur in amendments Nos. 1, 2, 3, 5, 8, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, and that the Senate recede from Senate amendments Nos. 6, 7 and 20.

Your Conference Committee further reports that Senate amendment No. 4 be stricken out and the following amendment substituted in lieu thereof:

Amend section 14, as follows: By striking out all after semi-colon in line seven and inserting in lieu thereof "repairs and furnishings of Mansion, two thousand dollars (\$2,000); for improvements of grounds surrounding the Mansion, five hundred dollars (\$500); in all, eight thousand six hundred dollars (\$8,600)."

Your Committee on Conference further recommends that Senate amendment No. 18 be stricken out and the following amendment substituted in lieu thereof:

Section 50. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of fifteen thousand (\$15,000) dollars, to be drawn from time to time as may be necessary, upon proper vouchers, to be approved by the Governor and Attorney-General, which sum shall be expended under the direction of the Attorney-General for all traveling expenses, costs of litigation, gathering and compiling testimony, for services of experts in bacteriology and chemical analysis if necessary, and in any other proper and necessary manner to protect the interests of the State and prosecute the litigation in the case of the State of Missouri, complainant, versus the State of Illinois and the Sanitary Districts of Chicago, defendants, pending in the Supreme Court of the United States: Provided, the city of St. Louis shall appropriate and set apart and expend a sum equal to the above amount to assist the State of Missouri in prosecuting said suit.

Your committee further recommends that section 7 of said bill be amended by inserting in line 2 after the word "expressage," the words and figures "one hundred and fifty dollars (\$150) for carpet."

Your committee further recommends that House bill No. 609 be further amended by adding thereto a new section, to be known as section 51, to read as follows:

Section 51. There is hereby appropriated out of the State treasury, chargeable to the General Revenue fund, for the years 1901 and 1902, to pay the salary of the judge who shall be appointed by the Governor for the new judicial district created by the judicial apportionment bill, passed by this General Assembly, the sum of four thousand dollars (\$4,000).

Your committee further recommends that House bill No. 609 be amended by adding thereto a new section, to be known as section 52, to read as follows:

Section 52. There is hereby appropriated out of any money not otherwise appropriated the sum of one thousand five hundred dollars (\$1,500), to be expended under the direction and in the discretion of the Governor, Secretary of State and State Auditor, to erect a monument at the grave of Colonel Thomas H. Benton in Bellefontaine cemetery in St. Louis, Missouri.

Your committee further recommends that House bill No. 609 be amended by adding thereto a new section, to be known as section 53, to read as follows:

Section 53. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of fifteen hundred dollars (\$1,500), to be expended under the direction and in the discretion of the Governor, Secretary of State and State Auditor, to erect a monument at the grave of Governor Robert M. Stewart, at St. Joseph, Missouri.

Your committee further recommends that Senate amendment No. 9 be stricken out, and the following amendment substituted in lieu thereof:

Section 24. For the support and maintenance of the National Guard of Missouri, including brigade expenses and expenses of instructions, when ordered by the Governor, and rents of armories and drill hall, forty thousand dollars (\$40,000). All disbursements under this section shall be paid on itemized accounts, approved by the Governor.

All of which is respectfully submitted,

JNO. R. COLLINS,  
C. W. CLARKE,  
W. E. STUBBS,  
On Part of the Senate.  
A. B. DUNCAN,  
C. D. STEWART,  
M. L. SULLIVAN,  
On Part of the House.

Which was read.

Senator Collins moved that the report of the Committee on Conference be adopted.

The report was adopted by the following vote:

#### YEAS—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Bradley,  | Drabelle, | Morton,     | Smith,     |
| Clarke,   | Fields,   | Orchard,    | Stubbs,    |
| Clay,     | Haynes,   | Rollins,    | Thomas,    |
| Collins,  | Heather,  | Rubey,      | Whaley,    |
| Costello, | Lee,      | Schoenlaub, | Zevely—22. |
| Davison,  | Martin,   |             |            |

#### NAYS—Senators

Dowell, Jewell—2.

#### Absent with leave—Senators

|         |           |           |           |
|---------|-----------|-----------|-----------|
| Biggs,  | Marshall, | Ramp,     | Tandy,    |
| Farris, | Matthews, | Sullivan, | Walker—8. |

Sick—Senator Cooper—1.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 16, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 315, entitled "An act to create the office of Assistant Attorney-General, prescribing his duties, providing for his appointment, and abolishing the office of Chief Clerk in the office of the Attorney-General."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

Senator Rubey moved that the Senate concur in House amendments Nos. 1 and 2 to committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6:

Amendment No. 1:

Amend Senate committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, by striking out all after the word "for," in the 11th line up to and including the word "State," at the end of line 20, and insert in lieu thereof the following: "Such period of time and at such rate of interest as may be provided for by law. The General Assembly shall have the power to provide by law for the issuing certificates to the public school fund and seminary fund as the money belonging to said funds accumulates in the State treasury."

Amendment No. 2:

Amend Senate committee substitute for joint and concurrent resolutions Nos. 5 and 6, by striking out the word "on," in line 30 of the printed resolution, between the words "certificates" and "indebtedness," and by inserting in lieu thereof the word "of."

The amendments were concurred in by the following vote:

YEAS—Senators

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Bradley,  | Fields,  | Marshall, | Schoenlaub, |
| Clay,     | Haynes,  | Martin,   | Stubbs,     |
| Collins,  | Heather, | Morton,   | Thomas,     |
| Costello, | Jewell,  | Orchard,  | Whaley,     |
| Dowell,   | Lee,     | Rubey,    | Zevely—21.  |
| Drabelle, |          |           |             |

NAYS—Senators

|          |          |          |
|----------|----------|----------|
| Davison, | Rollins, | Smith—3. |
|----------|----------|----------|

Absent with leave—Senators

|         |           |           |           |
|---------|-----------|-----------|-----------|
| Biggs,  | Farris,   | Ramp,     | Tandy,    |
| Clarke, | Matthews, | Sullivan, | Walker—8. |

Sick—Senator Cooper—1.

Senate committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, as amended, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to provide for the payment of the interest thereon; and to provide for the future investment of school and seminary funds,

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |             |
|-----------|-----------|-----------|-------------|
| Bradley,  | Drabelle, | Marshall, | Schoenlaub, |
| Clay,     | Fields,   | Martin,   | Stubbs,     |
| Collins,  | Haynes,   | Morton,   | Thomas,     |
| Costello, | Heather,  | Orchard,  | Whaley,     |
| Davison,  | Jewell,   | Rubey,    | Zevely—22.  |
| Dowell,   | Lee,      |           |             |

## NAYS—Senators

Matthews, Rollins,  
Absent with leave—Senators

Smith—3.

Biggs, Farris,  
Clarke, Ramp,  
Sick—Senator Cooper—1.

Sullivan,  
Tandy, Walker—7.

Title to the resolution read and agreed to.

Senator Rubey moved that the vote by which the resolution was passed be reconsidered.

Senator Davisson moved to lay that motion on the table.

The latter motion prevailed.

Senator Orchard moved that when the Senate adjourn it adjourn until 9 a. m. Monday morning.

The motion prevailed.

Senator Morton moved that the Senate taken an informal recess. The motion prevailed.

The Senate took an informal recess.

Regular session resumed.

Senator Bradley, from the Committee on Privileges and Elections, submitted the following report:

Mr. President: Your Committee on Privileges and Elections, to which was referred Senate bill No. 303, entitled

An act to amend sections 7081 and 7082 of the Revised Statutes of 1899, regarding convention of delegates and primary election for the nomination of candidates for office, by striking out certain words,

Begs leave to report that it has examined the same and recommends that it do pass;

Which was read.

The President announced the appointment of the following named Senators as Conference Committee on House bill No. 609: Haynes, Marshall and Matthews.

The two following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives, to inform the Senate that the House has taken up and passed

Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2, chapter 133 of the Revised Statutes of Missouri, 1899, and enact two new sections in lieu thereof, as amended;

Also, Senate bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States fish hatchery at Neosho, Missouri, and ceding jurisdiction over the same;

Which were read.

Senator Haynes, from the Committee on Conference on House bill No. 609, submitted the following report:

Mr. President: Your Committee on Conference, appointed to confer with a like committee upon the part of House, to consider the differences between the House and Senate amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, to House bill No. 609.

Begs leave to report that they have carefully considered the same and recommends that the House concur in amendments Nos. 1, 2, 3, 5, 8, 10, 11, 13, 15, 16, 17, and that the Senate recede from Senate amendments Nos. 6, 7, 9, 12, 19, 20 and 21.

Your Conference Committee further reports that Senate amendment No. 4 be stricken out, and the following amendment substituted in lieu thereof:

Amend section 14 as follows: By striking out all after the semicolon in line 7, and inserting in lieu thereof, "repairs and furnishings of Mansion, two thousand dollars (\$2,000); for improvements of grounds surrounding the Mansion, five hundred dollars (\$500); in all eight thousand six hundred dollars (\$8,600)."

Your Conference Committee further reports that Senate amendment No. 14, be stricken out, and the following amendment substituted in lieu thereof:

Section 32. There is hereby appropriated out of the State treasury, chargeable to the General Revenue fund for the years 1901 and 1902, for the pay of Inspector, under an act approved May 4, 1899, entitled "An act creating the office of Inspector of beer and malt liquors manufactured and sold in this State," six thousand dollars (\$6,000); for the pay of four deputies, twelve thousand dollars (\$12,000); for rent, stationery, fuel, printing, traveling expenses of Inspector and his deputies, and such other things as may be necessary for the transaction of the business of said Inspector, including additional inspectors if necessary, the sum of twenty-four thousand dollars (\$24,000): Provided, that five thousand dollars (\$5,000) out of this appropriation may be used in the discretion of the Governor for the payment of fees of special counsel for legal services in sustaining and enforcing the provisions of the beer inspection law, and the same shall be disbursed upon vouchers approved by the Governor; in all forty-two thousand dollars (\$42,000).

Your Committee on Conference further recommends that Senate amendment No. 18, be stricken out and the following amendment substituted in lieu thereof:

Section 50. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000), to be drawn from time to time as may be necessary upon proper vouchers, to be approved by the Governor and Attorney-General, which sum shall be expended under the direction of the Attorney-General, for all traveling expenses, costs of litigation, gathering and compiling testimony, for services of experts in bacteriology and chemical analysis, if necessary, and in any other proper and necessary manner to protect the interests of the State and prosecute the litigation in the case of the State of Missouri, complainant, versus the State of Illinois and the Sanitary District of Chicago, defendants, pending in the Supreme Court of the United States: Provided, the city of St. Louis shall appropriate and set apart and expend a sum equal to the above amount to assist the State of Missouri in prosecuting said suit.

Your committee further recommends that section 7 of said bill be amended by inserting in line 2, after the word "expressage," the words and figures "one hundred and fifty dollars (\$150) for carpet."

Your committee further recommends that House bill No. 609 be further amended by adding thereto a new section, to be known as section 51, to read as follows:

Section 51. There is hereby appropriated out of the State treasury, chargeable to the General Revenue fund, for the years 1901 and 1902, to pay the salary of the judge who shall be appointed by the Governor for the new judicial district created by the judicial apportionment bill, passed by this General Assembly, the sum of four thousand dollars (\$4,000).

Your committee further recommends that House bill No. 609 be amended by adding thereto a new section, to be known as section 52, to read as follows:

Section 52. There is hereby appropriated out of any money, not otherwise appropriated, the sum of one thousand five hundred dollars (\$1,500), to be expended under the direction and in the discretion of the Governor, Secretary of State and State Auditor, to erect a monument at the grave of Colonel Thomas H. Benton in Bellefontaine cemetery in St. Louis, Missouri.

Your committee further recommends that House bill No. 609 be further amended by adding thereto a new section, to be known as section 53, to read as follows:

Section 53. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of fifteen hundred dollars (\$1,500), to be expended under the direction and in the discretion of the Governor, Secretary of State and State Auditor, to erect a monument at the grave of Governor Robert M. Stewart, at St. Joseph, Missouri.

Your committee further recommends that House bill No. 609 be further amended by adding thereto a new section, to be known as section 54, to read as follows:

Section 54. There is hereby appropriated out of the State treasury, chargeable to the General Revenue fund, for the years 1901 and 1902, the sum of three thousand five hundred dollars (\$3,500) to pay the salary of the circuit judge of division number two of the Twenty-fifth judicial circuit, created by an act of this General Assembly.

All of which is respectfully submitted,

W. H. HAYNES,

JNO. E. MARSHALL,

B. L. MATHEWS,

On the Part of the Senate.

A. B. DUNCAN,

J. A. McLANE,

C. D. STEWART,

On the Part of the House.

Which was read.

Senator Haynes moved that the report of the Conference Committee on House bill No. 609 be adopted.

The motion prevailed by the following vote:

YEAS—Senators

Bradley,  
Clarke,  
Clay,  
Costello,  
Drabelle,  
Farris,

Fields,  
Haynes,  
Heather,  
Jewell,  
Marshall,

Martin,  
Matthews,  
Morton,  
Orchard,  
Rubey,

Stubbs,  
Sullivan,  
Thomas,  
Walker,  
Zevly—21.

NAYS—None.

## Absent with leave—Senators

Biggs,  
Collins,  
Davisson,Dowell,  
Lee,  
Ramp,Rollins,  
Schoenlaub,  
Smith,Tandy,  
Whaley—11.

Sick—Senator Cooper—1.

Senator Thomas, from the Committee on Education, Text-Books and Public Schools, submitted the four following reports:

Mr. President: Your Committee on Education, to which was referred Senate bill No. 196, entitled

An act to amend section 9828 of chapter 154 of Revised Statutes of 1899, entitled "Schools,"

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 32, entitled

An act imposing an additional fee on corporations in certain cases, to provide revenue for educational purposes,

Begs leave to report that it has examined the same and recommends that it do not pass;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 220, entitled

An act to repeal article 7 of chapter 154 of the Revised Statutes of Missouri of 1899, entitled "School book commission,"

Begs leave to report that it has examined the same and reports the same without recommendation;

Mr. President: Your Committee on Education, to which was referred Senate bill No. 23, entitled

An act creating a free public library commission, defining its powers and duties, and providing for a system of circulating libraries,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which were read.

Senator Fields, from the Committee on Enrolled Bills, submitted the four following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 272, entitled

An act to repeal section 8818 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;

Also, Senate bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Also, Senate bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right of way for railroad purposes over the land belonging to the State of Missouri for the use of said asylum;

Also, committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, entitled

Senate joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to pro-

vide for the payment of the interest thereon; and to provide for the future investment of school and seminary funds,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Clay moved that the Senate concur in House amendments Nos. 1 and 2 to Senate bill No. 143:

Amendment No. 1 to Senate bill No. 143:

Amend Senate bill No. 143 by striking out the words "from said mine or quarries," in lines eighteen and nineteen of section 8826, and inserting in lieu thereof the following words: "From the vicinity of said blast or blasts;" and by striking out the words "in said mine or quarry," in the twenty-third and twenty-fourth lines of said section, and inserting in lieu thereof the words "in the vicinity of such blast or blasts."

Amendment No. 2:

Amend Senate bill No. 143 by adding to section 8826a, the following words: "Nor to any one engaged in private enterprises other than mining."

The amendments were concurred in by the following vote:

YEAS—Senators

|           |           |          |            |
|-----------|-----------|----------|------------|
| Bradley,  | Haynes,   | Morton,  | Sullivan,  |
| Clay,     | Heather,  | Orchard, | Thomas,    |
| Costello, | Marshall, | Rubey,   | Walker,    |
| Drabelle, | Martin,   | Stubbs,  | Zevely—18. |
| Fields,   | Matthews, |          |            |

NAYS—None.

Absent with leave—Senators

|           |         |             |            |
|-----------|---------|-------------|------------|
| Biggs,    | Dowell, | Ramp,       | Smith,     |
| Clarke,   | Farris, | Rollins,    | Tandy,     |
| Collins,  | Jowell, | Schoenlaub, | Whaley—14. |
| Davisson, | Lee,    |             |            |

Sick—Senator Cooper—1

Senate bill No. 143, as amended, entitled

An act to repeal sections 8826 and 8827, article 2 of chapter 133 of the Revised Statutes of Missouri, 1899, entitled "Safety and inspection of mines," and enact two new sections in lieu thereof,

Was read third time, placed upon its passage, and passed by the following vote:

YEA—Senator Biggs—1.

|           |           |          |            |
|-----------|-----------|----------|------------|
| Bradley,  | Haynes,   | Morton,  | Sullivan,  |
| Clay,     | Heather,  | Orchard, | Thomas,    |
| Costello, | Marshall, | Rubey,   | Walker,    |
| Drabelle, | Martin,   | Stubbs,  | Zevely—18. |
| Fields,   | Matthews, |          |            |

NAYS—None.

Absent with leave—Senators

|           |         |             |            |
|-----------|---------|-------------|------------|
| Biggs,    | Dowell, | Ramp,       | Smith,     |
| Clarke,   | Farris, | Rollins,    | Tandy,     |
| Collins,  | Jewell, | Schoenlaub, | Whaley—14. |
| Davisson, | Lee,    |             |            |

Sick—Senator Cooper—1.

Title to the bill was read and agreed to.

Senator Clay moved that the vote by which the bill was passed be reconsidered.

Senator Walker moved to lay that motion on the table.

The latter motion prevailed.

Senator Rubey moved that House bill No. 648 be read second time and referred.

The motion prevailed.

House bill No. 648, entitled

An act to amend section 728 of article 7 of chapter 8 of the Revised Statutes of Missouri of 1899, of the code of civil procedure in the relation to the filing of bills of exceptions and to extend the time for filing the same by adding to the said section a proviso,

Was taken up, read second time, and referred to the Committee on Judiciary.

Enrolled committee substitute for joint and-concurrent resolutions Nos. 5 and 6, entitled

Joint and concurrent resolution submitting to the qualified voters of Missouri an amendment to the Constitution thereof to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to provide for the payment of the interest thereon; and to provide for the future investment of school and seminary funds;

Also, Senate enrolled bill No. 272, entitled

An act to repeal section 8818 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;

Also, Senate enrolled bill No. 320, entitled

An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools;

Also, Senate enrolled bill No. 290, entitled

An act to authorize and empower the Board of Managers of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right of way for railroad purposes over the land belonging to the State of Missouri for the use of said asylum.

Were taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bills read at length; that unless objection be made, he would sign the same, to the end that each become a law, and directed the Secretary to read the bills. The bills were read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session and no other business intervening, affixed his signature thereto. The bills were then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Dowell sent the following communication to the desk and had it read by the Secretary:

I desire the records of this body to show that I herein declare that I have been and am now in favor of reporting House bill No. 88, commonly known as the alum baking powder bill.

On motion of Senator Martin, the Senate adjourned until 9 a. m. Monday.

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#### FIFTY-SIXTH DAY—Monday, March 18, 1901.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Senator Clay offered the following resolution:

Resolved, That the Secretary of Senate and his staff, the Doorkeeper, one janitor and the clerk Committee on Accounts be given ten days in which to finish the records of the Senate; the Postmaster to be given five days in which to forward mail, and that the Committee on Accounts is hereby instructed to allow their accounts for said services.

Which was read and adopted.

Senator Haynes called up Senate bill No. 316, and moved that the vote by which the Senate refused to concur in House amendment be reconsidered.

The motion prevailed.

The question recurring on the motion to concur in House amendments to Senate bill No. 316:

Amend Senate bill No. 316 by striking out the words "county court of every such county," in the second line of section 24, on page 6 of this printed bill, and insert in lieu thereof the word "Governor,"

The amendment was concurred in by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Bradley,  | Fields,   | Martin,   | Sullivan,  |
| Clarke,   | Haynes,   | Matthews, | Tandy,     |
| Clay,     | Jewell,   | Morton,   | Thomas,    |
| Dowell,   | Lee,      | Smith,    | Whaley—19. |
| Drabelle, | Marshall, | Stubbs,   |            |

NAYS—None.

Absent with leave—Senators

|           |          |          |             |
|-----------|----------|----------|-------------|
| Biggs,    | Farris,  | Ramp,    | Schoenlaub, |
| Collins,  | Heather, | Rollins, | Walker,     |
| Costello, | Orchard, | Rubey,   | Zevely—13.  |
| Davisson, |          |          |             |

Sick—Senator Cooper—1.

Senate bill No. 316, as amended, entitled

An act to amend section 9958, article 6, chapter 154 of the Revised Statutes of 1899, entitled "Institutes," and to add a new section thereto, to be known as section 9968a.

Was read third time, placed upon its passage, and passed by the following vote:

YEAS—Senators

|           |           |           |            |
|-----------|-----------|-----------|------------|
| Bradley,  | Fields,   | Matthews, | Stubbs,    |
| Clarke,   | Haynes,   | Morton,   | Sullivan,  |
| Clay,     | Jewell,   | Rollins,  | Tandy,     |
| Dowell,   | Lee,      | Rubey,    | Thomas,    |
| Drabelle, | Marshall, | Smith,    | Whaley—22. |
| Farris,   | Martin,   |           |            |

NAYS—None.

Absent with leave—Senators

|           |           |             |            |
|-----------|-----------|-------------|------------|
| Biggs,    | Davisson, | Ramp,       | Walker,    |
| Collins,  | Heather,  | Schoenlaub, | Zevely—10. |
| Costello, | Orchard,  |             |            |

Sick—Senator Cooper—1.

Senator Haynes moved to reconsider the vote by which House bill No. 316, as amended, passed.

Senator Fields moved to lay that motion on the table.

The latter motion prevailed.

Senator Dowell, from the Committee on Enrolled Bills, submitted the two following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States fish hatchery at Neosho, Mo., and ceding jurisdiction over the same;

Also, Senate bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2 of chapter 133 of the Revised Statutes of Missouri, 1899, entitled "Safety and inspection of mines," and enact three new sections in lieu thereof,

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which were read.

Senator Whaley sent up to the Secretary the following statement:

Mr. President, I arise to a question of personal privilege. I have been assailed by a member of the lower house of this General Assembly, Mr. C. C. Dickinson of Henry county, and the newspapers have wrongfully reported this matter in a sensational manner. I refer to the *Kansas City Star*.

Mr. President, there is not one truth in all that the gentleman said in his harangue to that body and the galleries thereof. The gentleman seemed to be playing the grandstand act to the galleries.

I am charged with attempting to obstruct legislation because of the fact that a Senate committee of which I happen to be a member has not yet reported the McGrew bill, known as the Hall freight rate bill. There are seven Senators members of this committee, for whom I have the highest respect, and I desire to say that I am willing to share with them any responsibility that may attach to them in this matter. I am no dodger of responsibilities, neither have I gone about the committee rooms of this capitol sticking my nose into the affairs of committees of which I am not a member. I have too high a regard for my associates if my own self respect did not restrain me from such a course. The rule of this body is that no bills be reported adversely without hearing the author of the bill. Five meetings of this committee have been held in its usual place of meeting and Mr. Hall has never appeared before this committee to be heard in support of the bill. So far as this bill is concerned I have on several occasions stated to the committee that I was willing to report it out though I could not approve it. The committee will bear me out in this. I also told Mr. Hall the same thing and he cannot truthfully deny it. I am but one member of this committee and have no authority to report this bill or any other bill except upon a majority vote of a quorum of the same. Why did not Mr. Dickinson attack other members of this committee? Is it because they live in some other senatorial district and do not stand between himself and the goal of his political ambition, as he no doubt imagines I do. Mr. Dickinson was a candidate two or three years ago for the Democratic nomination for the office I now have the honor to fill. Another hallucination he seems to be suffering from is that he imagines that I have been trying to jerrymander the senatorial district in my own interest and against his. I think the Committee on Redistricting and Reapportionment can settle this matter in a very few words. I have been before that committee, but one time and then asked that my district remain as it is, and when told on another occasion that the committee would probably add Vernon county, I asked the gentleman who spoke to me to see the Representatives and get their consent, in which case I should make no objection if it was agreeable to all parties interested. I am not a member of this redistricting committee and have not had anything to do with matters further than to oppose the changes. I am accused of holding up the Alum bill, which is also untrue. I am not a member of the committee before which this bill has been pending and have been for the bill from the start, and have openly advocated its passage and given my opinion professionally in its favor. But it has been suggested to me that the gentleman whom Mr. Dickinson now champions for the United States Senate can explain its delay if he is willing to do so.

Mr. President, talking about obstructing legislation, I think there has been more legislative obstruction in the buncombe speeches made in the halls of legislation than all other causes combined, and I say this with due courtesy to the able advocates on this floor. Some gentlemen here seem to be kept busy dodging from corrupting powers and the impending dangers of malign influences, and it seems to take all the powers of their amateurish oratory to keep them pure and clean in the eyes of the world. For my part I have not consumed one hour of the valuable time of this body in hedging against accusation or suspicion, nor do I expect to impose or inflict anything of this nature upon the members of this body, neither do I feel that it is necessary. I have not found it necessary to bar my doors nor carry a shot-gun to keep the lobby off of me or protect my honor or my character, neither have I found it necessary to make daily acclaim from the house tops and hill tops to assure my constituents of the spotless purity of my escutcheon.

Mr. President, I hold myself responsible to no power on earth but my constituency, and I do not fear to trust my case in their hands, notwithstanding the bombastic utterances of the gentleman, prompted as they are by jealousy and personal ambition.

Which was read.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 18, 1901. }

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, committee substitute for Senate joint and concurrent resolutions Nos. 5 and 6, en-

titled "Senate joint and concurrent resolution, submitting to the qualified voters of Missouri an amendment to the Constitution thereof, to define the status of the State certificates of indebtedness now on deposit in the State treasury and held in trust for the 'Public School fund' and the 'Seminary fund,' to extend and perpetuate the same; to provide for the payment of the interest thereon, and to provide for the future investment of school and seminary funds."

Respectfully,

A. M. DOCKERY, Governor.

Senate enrolled bill No. 246, entitled

An act granting the consent of the State of Missouri to the purchase by the United States of certain lands for the purpose of enlarging the United States fish hatchery at Neosho, Mo., and ceding jurisdiction over the same,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senate enrolled bill No. 143, entitled

An act to repeal sections 8826 and 8827, article 2 of chapter 133 of the Revised Statutes of Missouri, 1899, entitled "Safety and inspection of mines," and enact two new sections in lieu thereof,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Martin offered the following resolution:

Resolved, That the Committee on Accounts is hereby instructed to draw warrants for all elective officers of this body from and including January 3, 1901, the day on which they were elected and sworn in up to and including date of adjournment.

Which was read and adopted.

The President announced the reception from the House of Representatives of enrolled House bill No. 236, entitled

An act to encourage the establishment of school libraries and to secure for them good books at least cost;

That the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Senator Walker offered the following resolution:

Resolved, That the Commissioner of the Permanent Seat of Government is hereby authorized to retain the Senate force employed by him for two days after adjournment of this body for the purpose of cleaning up and putting in order the Senate chamber, committee rooms, etc., and that they be paid for their services from the contingent fund of the Senate.

Which was read and adopted.

Senator Rubey offered the following resolution:

Whereas, There are five clerks on the clerical force who are renting typewriters and using same to do work for the Senate; therefore, be it

Resolved, That the Committee on Accounts be and is hereby instructed to allow such clerks the sum of \$4.00 per month to pay said rental.

Read and adopted.

Senator Tandy offered the following resolution:

Whereas, The Official Reporter of the Senate, Mr. Cortez A. Kitchen, has discharged his duties with exemplary faithfulness and ability, having never missed a day during the entire session from his post of duty, or received a criticism on his work; therefore, be it

Resolved, That the Senate, recognizing the faithfulness and ability of Mr. Kitchen as evidenced in the discharge of his duties as Official Reporter of the Senate, do commend him as a man and a Democrat worthy and deserving of any honor that may be bestowed upon him, or any trust that may be committed to him; be it further

Resolved, That as an evidence of the esteem of the Senate the Secretary is instructed to furnish Mr. Kitchen with a copy of these resolutions properly attested.

Which was read and adopted.

Senator Tandy offered the following resolution:

The accuracy and promptness with which the work of the Senate engrossing department of the Forty-first General Assembly has been dispatched under the systematic rules and discipline adopted and observed by its chief, Hon. R. C. Barrett of Doniphan, Ripley county, and his assistant, Mr. Dan Frazer Thompson of Miller county, deserve special mention; therefore, be it

Resolved by the Senate, That we commend the said officers and clerks of the present engrossing department of the Senate for their faithful performance of duty.

Which was read and adopted.

Senator Martin, from the Committee on Retrenchment and Reform, Fees, Salaries and Criminal Costs submitted the following report:

Mr. President: Your Committee on Retrenchment and Reform, etc., to which was referred House bill No. 527, entitled

An act to repeal sections 8392 and 8393, article 1, chapter 123, Revised Statutes of Missouri, 1899, entitled "Legislature," and to enact one new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do not pass;

Which was read.

Senator Haynes, from the Committee on Judiciary, submitted the two following reports:

Mr. President: Your Committee on Judiciary, to which was referred House bills Nos. 239, 285 and 648,

Begs leave to report that it has examined the same and report same without recommendation;

Mr. President: Your Committee on Judiciary, to which was referred Senate bills Nos. 302, 253, 124, 83, 82, 94 243, 186, 187, 200 and 297,

Begs leave to report that it has examined the same and report the same without recommendation;

Which were read.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, }  
Jefferson City, March 18, 1901.

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 153, entitled "An act to amend article eight of chapter 102 of the Revised Statutes of 1899, entitled 'Registration and elections in cities with 300,000 inhabitants or over,' by adding a new section thereto, to be known as section 7267a, providing for the compensation and pay of judges and clerks of elections and of boards of registration and clerks, and the payment thereof by such cities, with an emergency clause."

Respectfully,

A. M. DOCKERY, Governor.

Which was read.

The President announced the reception from House of Representatives of enrolled committee substitute for House bill No. 13, entitled

An act to repeal sections 8793 and 8794 of chapter 133 of article 2 of the Revised Statutes of Missouri, 1899, and enact in lieu thereof two new sections, to be known as sections 8793 and 8794; and to prevent persons and corporations from working laborers under ground more than eight hours in a day of twenty-four hours, and fixing eight hours as day for such laborers;

Also, House enrolled bill No. 349, entitled

An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies;

Also, House enrolled bill No. 74, entitled

An act to amend section 2627 of article 7 of chapter 16, of Revised Statutes of the State of Missouri of 1899, entitled "Practice and proceedings in criminal cases;"

Also, House enrolled bill No. 574, entitled

An act to repeal section 4206, article 1, chapter 47, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 4206, relating to mechanics' liens;

Also, House enrolled bill No. 416, entitled

An act to amend article 1, chapter 47 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 4227a;

Also, House enrolled bill No. 199, entitled

An act to amend section 6574 of the Revised Statutes of the State of Missouri of 1899, entitled "Official oath, etc.," and pertaining to commissioners of deeds;

Also, House enrolled bill No. 512; entitled

An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of 1899, relating to the collector of the revenue;

Also, House enrolled bill No. 398, entitled

An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deed of trust or other contract lien, securing a debt, with an emergency clause;

Also, House enrolled bill No. 63, entitled

An act to amend section 4987 of the Revised Statutes of 1899, relating to county counselors, with an emergency clause;

Also, House enrolled bill No. 265, entitled

An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations;

Also, House enrolled bill No. 126, entitled

An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitation of actions;

Also, House enrolled bill No. 288, entitled

An act amending section six thousand four hundred and sixty-nine of the Revised Statutes of 1899, relating to directors of public libraries;

Also, House enrolled bill No. 534, entitled

An act establishing in the University of the State of Missouri a chair of dairy husbandry; authorizing and directing the Board of Curators of the University to appoint a professor of dairy husbandry; designating the duties of the professor of dairy husbandry; appropriating money therefor;

Also, House enrolled bill No. 249, entitled

An act to appropriate the county foreign insurance tax fund for the years 1899 and 1900, and for the years 1901 and 1902, and distribute the same as provided in section 8047 chapter 119, article 8, Revised Statutes of 1899;

Also, House enrolled bill No. 150, entitled

An act to repeal section 546 of article 1, chapter 8, Revised Statutes of Missouri, 1899, entitled "Code of civil procedure," and relating to the form of civil actions and the parties thereto and to enact two new sections in lieu thereof, to be known as sections 546 and 546a;

Also, House enrolled bill No. 342, entitled

An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class, with an emergency clause:

Also, House enrolled bill No. 308, entitled

An act to repeal sections 3331, 3332, 3333 and 3336 of article 1, chapter 29, Revised Statutes of Missouri, 1899, entitled "Forcible entry and detainer," and to enact three new sections in lieu thereof to be known as sections 3331, 3336 and 3345a, relating to proceedings before justices of the peace;

Also, House enrolled bill No. 312, entitled

An appropriation to reimburse John G. Evans of Boone county, Missouri;

Also, House enrolled bill No. 334, entitled

An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly;

Also, House enrolled bill No. 375, entitled

An act to enforce the constitutional right of every child to an education and to prohibit the employment of children during school hours;

Also, House enrolled bill No. 558, entitled

An act to amend section 1725, chapter (14) fourteen, article (3) three, Revised Statutes of Missouri, 1899, relating to time of holding circuit court.

That the same had passed both branches of the General Assembly; that all other business would be suspended and the bills read at length; that unless objection be made, he would sign the same, to the end that they become laws, and directed the Secretary to read the bills. The bills were read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bills were immediately returned to the House.

The following communication was received from the Governor, through his Private Secretary, Mr. Crenshaw:

Executive Department, State of Missouri, )  
Jefferson City, March 18, 1901. {

To the President of the Senate:

I have the honor to return to the Senate, with my approval indorsed thereon, Senate bill No. 223, entitled "An act relating to circuit attorneys for judicial circuits of this State embracing cities that now have or that may hereafter have three hundred thousand inhabitants or more, and providing for the appointment by the circuit attorney of a second assistant and a stenographer, fixing the compensation of such circuit attorney, assistant and stenographer, and providing for a contingent fund for the payment of the incidental expenses of the circuit attorney's office."

Which was read.

Senator Martin moved that the Senate go into Committee of the Whole for ceremonial purposes.

The motion prevailed.

Senator Tandy submitted the following resolution:

Whereas, The smooth journal force of this Senate, composed in the main of the fairest and best of our dear old State, presided over by the noble old Roman, Maj. H. A. Newman, has done their work so far faithful and well, showing to each Senator who visited them on business or for the purpose of having a pleasant chat with its members the fullest courtesies; therefore, be it

Resolved, That the Senate thank them individually and collectively for their faithful work.

Which was read and adopted.

Senator Haynes offered the following resolution:

Resolved that the Senate tender its thanks to all its officers and employes, both elective and appointive, and also the pages for their strict, prompt and careful attention to their duties and the kindly and courteous manner toward this body, and that the lady clerks be commended for their faithful and efficient work and womanly conduct.

Which was read and adopted.

The President called Senator Martin to the chair.

Senator Haynes offered the following resolution:

Resolved, The press correspondents would not consider their legislative assignment complete without extending to Lieutenant-Governor Lee, members of the Senate and employes of the upper body their heartiest thanks for uniform courtesies received at their hands during the session.

P. E. Burton, Republic; J. J. McAuliff, Post-Dispatch; W. C. Evans, Kansas City Star; Mason Peters, Kansas City Journal; Thos. Rogers, Globe-Democrat; Harry Quinn, St. Louis Chronicle; Harry Baxter, Westliche Post; Joe Goldman, Kansas City World; Ed. M. Watson, State Tribune; Jno. C. Lebens, Republic; Eugene C. Brokmeyer, Globe-Democrat; Dante Barton, Kansas City Times; Jno. G. Leslie, St. Joe News.

Which was read and adopted.

Senator Drabelle, from the Committee on Municipal Corporations, submitted the three following reports:

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 304, entitled

An act to repeal section 5845, article 4, chapter 91, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof,

Begs leave to report that it has examined the same and recommends that it do not pass, at request of author;

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 205, entitled

An act to amend section 5157, article 1, chapter 83, Revised Statutes, 1899, entitled "Bonds, municipal, etc.,"

Begs leave to report the same to the Senate without recommendation;

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate bill No. 334, entitled

An act to amend article 2, section 3019 of the Revised Statutes of the State of Missouri, entitled "Excise Commissioner," and enact a new section in lieu thereof,

Begs leave to return same to the Senate without recommendation;

Which were read.

Senator Zevely offered the following resolution:

Resolved, That the thanks of the Senate are hereby tendered to Mr. Hugh Stephens, manager of the Jefferson City Tribune, for his uniform kindness, and for the personal interest he has taken in all printing of this body and for the accuracy and dispatch with which his work has been done.

Which was read and adopted.

Senator Walker offered the following resolution:

Resolved, That the State Commissioners on printing are hereby authorized to furnish such blanks, pamphlets and other printed matter as in their judgment may be required by the Board of Immigration during the next two years.

Which was read and adopted.

Senator Dowell offered the following resolution:

Whereas, The enrolling force, under the direction of Major J. H. Finks, has made a record of efficiency rarely equaled and never excelled in this, to wit, that not a single mistake has been made during the entire session and that the force has its business now completed; therefore, be it

Resolved, That we extend the thanks of this body to Major J. H. Finks and his force for their efficient work.

Which was read and adopted.

Senator Dowell, from the Committee on Enrolled Bills, submitted the following report:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 316, entitled

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and defining his duties, providing for the appointment of a deputy, and also defining the duties of other officers in connection therewith, and prescribing penalties, in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause,

Begs leave to report that it has compared the same and finds it to be truly enrolled;

Which was read.

Senator Walker offered the following resolution:

Resolved, That the thanks of this body be extended to our worthy Chaplain who has so faithfully pointed us the way to heaven and led the way.

Which was read and adopted.

Senate enrolled bill No. 316, entitled

An act creating the office of county auditor, prescribing his qualifications, providing for his appointment and election, removal from office, fixing his salary and defining his duties, providing for the appointment of a deputy, and also defining the duties of other officers in connection therewith, and prescribing penalties, in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause,

Was taken up, and the President announced that the same had

passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Morton moved that no further business be transacted, except signing and reading bills at length.

The motion prevailed.

Senator Tandy offered the following resolution:

Resolved, That the thanks of this body be given to Col. J. Ed. Crumbaugh and his force for their efficient work and courtesy to the members of this Senate.

Which was read and adopted.

The President announced the reception from the House of Representatives, House enrolled bill No. 594, entitled

An act to repeal sections 7224, 7226, 7229, 7242 and 7267 of article 8, chapter 102, Revised Statutes of Missouri of 1899, relating to registrations and elections in cities with three hundred thousand inhabitants or over, and to enact five new sections in lieu thereof, to be known as sections 7224, 7226, 7229, 7242 and 7267, with emergency clause;

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made, he would sign the same, to the end that it be come a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred House bill No. 69, entitled

An act to repeal section 2305, article 8, chapter 15, Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof,

Begs leave to report that it has examined the same and recommends that the accompanying substitute do pass;

Which was read.

Senator Dowell moved that the rules be suspended, and committee substitute for House bill No. 69 be read third time and put upon its passage.

The motion prevailed.

Committee substitute for House bill No. 69 entitled

An act to repeal section 2305 of article 8, chapter 15 of the Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 2305, 2305a, 2305b, 2305c,

Was read third time, placed upon its passage, and passed by the following vote:

## YEAS—Senators

|           |          |             |            |
|-----------|----------|-------------|------------|
| Clarke,   | Fields,  | Matthews,   | Sullivan,  |
| Clay,     | Haynes,  | Morton,     | Tandy,     |
| Collins,  | Heather, | Rubey,      | Thomas,    |
| Costello, | Jewell,  | Schoenlaub, | Walker,    |
| Dowell,   | Lee,     | Smith,      | Whaley—23. |
| Drabelle, | Martin,  | Stubbs,     |            |

## NAYS—Senators

|           |            |
|-----------|------------|
| Marshall, | Orchard—2. |
|-----------|------------|

## Absent with leave—Senators

|          |           |          |           |
|----------|-----------|----------|-----------|
| Biggs,   | Davisson, | Ramp,    | Zevely—6. |
| Bradley, | Farris,   | Rollins, |           |

Sick—Senator Cooper—1.

The title to the bill was read and agreed to.

Senator Fields moved that the vote by which the bill was passed be reconsidered.

Senator Rubey moved to lay that motion on the table.

The latter motion prevailed.

Senator Orchard offered the following resolution:

Resolved, That Miss Sadie R. Mann, the Official Stenographer of the majority party, be allowed pay from January 3, 1901, to date, both inclusive.

Which was read and adopted.

The President announced the reception from the House of Representatives, House enrolled bill No. 156, entitled

An act to repeal sections 3761, 3769, 3770 and 3773, chapter 14, article 1, Revised Statutes of Missouri, relating to juries, and enact four new sections in lieu thereof, relieving the county courts from drawing grand juries under the constitutional amendment, .

Also, House enrolled bill No. 418, entitled

An act to appropriate money to pay the deficiencies in the expenses of the State government for the years 1899 and 1900, with emergency clause;

Also, House enrolled bill No. 523, entitled

An act entitled "An act to repeal section 9547 of article 5, chapter 151 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof;"

The President announced

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bills read at length, and that unless objection be made, he would sign the same, to the end that each become a law, and directed the Secretary to read the bills. The bills were read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bills were immediately returned to the House.

The four following communications were received from the House of Representatives, through its Chief Clerk, Mr. Tall:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed

Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department;"

Also, Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of pre-

ferred stock in organizing a corporation or in increasing the capital stock of a corporation;

Also, Senate bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the "Legislature;"

Also, Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words;

Which were read.

The President announced the reception from the House of Representatives enrolled House bill No. 230, entitled

An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902;

Also, House enrolled bill No. 467, entitled

An act to appropriate money for the support, maintenance, repairs and improvement of the eleemosynary and penal institutions of the State for the years 1901 and 1902;

Also, House enrolled bill No. 608, entitled

An act to provide for a State license tax on distilled liquors, including whisky, brandy, rum, gin, and distilled spirits of all kinds, wines and all kinds of vinous liquors, to create the office of Special License Commissioner, and to provide for the appointment thereof by the Governor;

Also, House enrolled bill No. 609, entitled

An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, public printing, etc.;

The President announced

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bills read at length, and that unless objection be made, he would sign the same, to the end that each become a law, and directed the Secretary to read the bills. The bills were read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bills were immediately returned to the House.

Senate enrolled bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation,

Was taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bill read at length; that unless objection be made, he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, signed by the Speaker, and

immediately presented to the Governor by the Secretary for his approval.

Senator Stubbs offered the following resolution:

Whereas, The Jefferson City Press has faithfully published each day the proceedings of this body without price; and,

Whereas, The representative of the Press has been one of the most faithful, impartial and accurate reporters of the proceedings of the Senate; therefore, be it

Resolved, That the thanks of the Senate are hereby tendered to the Jefferson City Press and its representative, Mr. John D. Leslie.

Which was read and adopted.

Senator Orchard, from the Committee on Criminal Jurisprudence, submitted the following report, accompanied by the following statement:

Mr. President: Your Committee on Criminal Jurisprudence, to which was referred Senate bill No. 110 and House bill No. 88, entitled

An act to amend section 2286, article 8 of chapter 15 of the Revised Statutes of Missouri, 1899, entitled "Crimes and punishments," and relating to certain substances not to be used in compounds to be used in the preparation of foods, by striking out the words "or alum," in the 6th line and at the end of said section, and also by inserting between the words "bismuth" and ammonia," in the 6th line of said section the word "or,"

Begs leave to report that it has examined the same and recommends that it do not pass, for the reasons in attached statement:

March 11, 1901.

The Committee on Criminal Jurisprudence, to which was referred House bill No. 88, after having fully examined and considered the same, beg leave to report the bill back to the Senate, with recommendation that it do not pass.

The act of March 11, 1899 (incorporated in the revision of that year as sections 2286-7) provided that it should be unlawful to use arsenic, calomel, bismuth, ammonia, or alum in food and food compounds. The purpose of the bill in question is to repeal so much of this statute as makes it unlawful to use alum in food and food compounds, leaving the prohibition as to the other chemicals to stand in force. In the opinion of this committee that should not be done. If we are to place any faith whatever in the unanimous testimony of all the leading chemists of the Union, including those in the public services of the government as well as those employed in all the principal colleges and universities of the country, there can be no doubt that alum is a poison, and that its use in food is hurtful to health and dangerous to life, especially in the case of children and young girls and delicate women. The voluminous and overwhelming testimony which has been given by scientific experts upon this subject, is corroborated by the testimony of scores and hundreds of eminent physicians in active practice, including the medical heads of both the Army and Navy of the United States, and including, also, some five hundred physicians of this State—all testifying, with remarkable unanimity, to the same effect, that alum is a poison, and that its use as a food ingredient should be prohibited. In addition to that it is a fact that the use of alum in food and compounds that are used in the preparation of food has been long prohibited by law in England, France, Germany and other European countries, and the laws are rigidly enforced. Against this great mass of concurrent testimony, in which science, experience and law all combine in condemning alum as a food ingredient, there

is scarcely a protest from any source worthy to be treated as an authority. It is true that certain chemists employed by the American (Alum) Baking Powder Association or Trust, the General Chemical Company and the Pennsylvania Salt Company—two corporations organized in New Jersey and the greatest manufacturers of alum in the country—have expressed the opinion that alum when used in making bread loses its poisonous quality by some means in the process of cooking; but this interested testimony is contradicted, and, in the opinion of this committee, overwhelmingly refuted, by large numbers of the most famous scientists of the country who have shown by repeated and conclusive experiments with alum baking powders that a poisonous residuum is left in bread after the baking, which is extremely harmful to health and dangerous to life. Many serious and fatal ills in given cases have been traced directly to this cause.

But here let it be noted, that while this measure in favor of alum is being urged by persons interested in the manufacture and sale of alum baking powders, those powders are not the only food products in which this poisonous substance is surreptitiously and fraudulently employed. It is used, also, in flour, lard, pickles and other food preparations.

In the face of all this, why should this most salutary law be repealed? The people of the State are entitled to be protected against frauds which imperil their health and lives, and this committee is unwilling to repeal a law having that end in view merely to oblige those who would make pecuniary profit by imposing upon a confiding public. The clap-trap about this bill being opposed by a so-called trust engaged in manufacturing baking powders without the use of alum, scarcely deserves to be noticed. It should not matter if it were true. Even if some trust should perchance declare that poison is a bad thing in human food, should we therefore begin at once to feed poison to the people? That would be carrying trust opposition to the point of criminal stupidity. But as a matter of fact no person whatever has appeared before this committee or its members to oppose the passage of this bill. Some protests against its passage, made by citizens of the State, accompanied by the opinions of some 500 Missouri doctors that the present law ought to stand for the protection of the public health, and a single pamphlet, containing an argument against the repeal of the law, prepared by an attorney representing the Missouri Health Society, all of which were mailed to the committee or its members, represents everything that has been done, so far as this committee is informed, in opposition to the bill. Upon the other hand, a numerous and persistent lobby has been in almost constant attendance upon this session of the General Assembly urging the passage of this bill, so as to permit the unrestricted use of this poison in the preparation of food products to be sold to the people of the State. That there is a rich and powerful association or trust, interested in the manufacture and sale of alum baking powders, does not admit of doubt, and that that trust has been back of this movement to repeal this law is almost equally certain. This alum trust, or association, is made up of 67 alum baking powder manufacturing companies and two great chemical companies (the two New Jersey corporations above mentioned as engaged in making alum) who employ in their business over \$100,000,000 in capital. To this report we append a list:

of the concerns constituting this trust. The members of this association contribute annually to a legislative fund to be expended in preventing pure food legislation which has for its object the prohibiting of the use of alum as a food adulterant, and it is believed that not less than \$100,000 are annually expended in that direction. Whatever lobbying has been done in connection with this bill has been done by those who favor its passage. But, after all, considerations of this kind should have but little weight in determining legislative action.

The bill should be considered and disposed of on its merits. Upon that ground we have considered it, and upon that ground solely we place our recommendation that the bill do not pass.

Your committee also herewith returns Senate bill No. 110, relating to the same subject, with a like recommendation.

Members of the "American (Alum) Baking Powder Association" as shown by a memorial addressed to the United States Senate, dated April 19, 1900, and signed by the several members of the association:

Morehouse Manufacturing Company, Savannah, Ga.; Southern Manufacturing Company, Richmond, Va.; Sea Gull Specialty Company, Baltimore, Md.; Canby, Ach & Canby, Dayton, Ohio; Jacques Manufacturing Company, Chicago, Ill.; C. Read & Co., Baltimore, Md.; J. D. & R. S. Christian Company, Richmond, Va.; Wabash Baking Powder Company, Wabash, Ind.; The Pure Food Company, St. Louis, Mo.; Perfect Baking Powder Company, St. Louis, Mo.; Taylor Baking Powder Company, St. Louis, Mo.; Henry Petring Grocery Company, St. Louis, Mo.; Eddy & Eddy, St. Louis, Mo.; E. Metzenaur, St. Louis, Mo.; Shepard Baking Powder Company, St. Louis, Mo.; Bain & Chapman Manufacturing Company, St. Louis, Mo.; J. C. Grant Manufacturing Company, St. Louis, Mo.; Aroma Coffee and Spice Company, St. Louis, Mo.; Hanley & Kinsella Coffee and Spice Company, St. Louis, Mo.; David G. Evans & Co., St. Louis, Mo.; Forbes & Co., St. Louis, Mo.; Edward Westen Tea and Spice Company, St. Louis, Mo.; Dodson, Braun Manufacturing Company, St. Louis, Mo.; J. C. Grant Chemical Company, Chicago, Ill.; Calumet Baking Powder Company, Chicago, Ill.; S. E. Seger's Sons, Quincy, Ill.; McFadden Coffee and Spice Company, Dubuque, Iowa; The J. P. Dieter Company, Chicago, Ill.; J. H. Conrad & Co., Chicago, Ill.; Thompson & Taylor Spice Company, Chicago, Ill.; The R. T. French Company, Rochester, N. Y.; Dudley & Co., Fairport, N. Y.; Crescent Manufacturing Company, Seattle, Wash.; Chapman & Smith Company, Chicago, Ill.; Benton Baking Powder Company, Cincinnati, O.; Closset & Devers, Portland, Ore.; Gulf Manufacturing Company, New Orleans, La.; McCormick, Behnke & Co., St. Paul, Minn.; Ris-Ket Manufacturing Company, Baltimore, Md.; Dean-Lilly Coffee and Spice Company, Memphis, Tenn.; Hughes Bros. Manufacturing Company, Dallas, Tex.; Griggs, Cooper & Co., St. Paul, Minn.; Foley Bros. & Kelly Merchandise Company, St. Paul, Minn.; C. R. Groff Company, St. Paul, Minn.; Imperial Coffee and Spice Company, Duluth, Minn.; Stagmaier & Fletcher, Chattanooga, Tenn.; Tone Bros., Des Moines, Iowa; E. Schneider & Company, Cleveland, Ohio; Sherer Bros., 22 River St., Chicago, Ill., and other not printed.

AMERICAN BAKING POWDER ASSOCIATION,

A. CRESSY MORRISON, Secretary-Treasurer.

To these should be added the General Chemical Company, and the Pennsylvania Salt Company, the greatest alum manufacturers in the country.

JAMES ORCHARD,

Chairman, Committee on Criminal Jurisprudence.

Which was read.

The foregoing is a true copy of the report of the Senate Committee on Criminal Jurisprudence, submitted March 18, 1901, on House of Representatives bill No. 88, and Senate bill No. 110 of the 41st General Assembly of Missouri.

Senator Dowell, from the Committee on Enrolled Bills, submitted the four following reports:

Mr. President: Your Committee on Enrolled Bills, to which was referred Senate bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words;

Also, Senate bill No. 328, entitled

An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or in increasing the capital stock of a corporation;

Also, Senate bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department;"

Also, Senate bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the "Legislature;"

Begs leave to report that it has compared the same and finds them to be truly enrolled;

Which was read.

Senate enrolled bill No. 219, entitled

An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled "Insurance," by adding certain words;

Also, Senate enrolled bill No. 332, entitled

An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the "Legislature;"

Also, Senate enrolled bill No. 333, entitled

An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled "Treasury Department;"

Were taken up, and the President announced that the same had passed both branches of the General Assembly; that all other business would be suspended, and the bills read at length; that unless objection be made, he would sign the same, to the end that they become laws, and directed the Secretary to read the bills. The bills were read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bills were then taken to the House of Representatives, signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The President announced the reception from the House of Representatives, enrolled committee substitute for House bill No. 69, entitled

An act to repeal section 2305 of article 8, chapter 15 of the Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 2305, 2305a, 2305b, 2305c,

That the same had passed both branches of the General Assembly; that all other business would be suspended, the bill read at length; that unless objection be made he would sign the same, to the end that it become a law, and directed the Secretary to read the bill. The bill was read at length by the Secretary, and, no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto, and the bill was immediately returned to the House.

The time fixed for the adjournment of the 41st General Assembly to wit: 12 o'clock noon, having arrived, the President announced that the Senate of the 41st General Assembly of Missouri was now adjourned sine die.

JOHN A. LEE,  
President of Senate.  
CORNELIUS ROACH,  
Secretary of Senate.

# SUPPLEMENT.

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Jefferson City, March 19, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 121, entitled

“An act to amend section 2194 of the Revised Statutes of 1899, by inserting certain words.”

Senate bill No. 236, entitled

“An act to repeal sections 4750 and 4751 of article 5, chapter 67 of the Revised Statutes of Missouri, 1899, relating to imitation butter, and to enact in lieu thereof two new sections.”

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 19, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 230, entitled

“An act to appropriate money for the purpose of paying the salaries of civil officers for the years 1901 and 1902, commencing January 1, 1901, and ending December 31, 1902.”

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 20, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 355, entitled

“An act to enact new section of article 1, chapter 42, Revised Statutes of Missouri, 1899, to be known as section 3770a, relating to juries, with emergency clause.”

House bill No. 619, entitled

“An act to amend article 5, chapter 91 of the Revised Statutes of Missouri, to enable cities of the fourth class to issue bonds for the

purpose of macadamizing, paving, guttering and curbing streets, by enacting a new section, to be known as section 5982a."

House bill No. 282, entitled

"An act to amend section 3037 of chapter 23, Revised Statutes of 1899, relating to druggists and their licenses, by striking out certain words."

House bill No. 482, entitled

"An act to repeal section 9441, article 1, chapter 151, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 9441."

House bill No. 531, entitled

"An act to amend article 3 of chapter 15 of the Revised Statutes of Missouri, 1899, relating to offenses against public and private property, by adding a new section thereto, to be known as section 1887a."

House bill No. 144, entitled

"An act to provide for a docket fee in all judicial circuits composed of one county and having two judges and no criminal court."

House bill No. 215, entitled

"An act regulating the erection of electric light poles and the laying of pipes, conductors, mains and conduits on the public roads and highways, with an emergency clause."

House bill No. 197, entitled

"An act providing for the appointment of Park Commissioners in cities of the second class."

Committee substitute for House bill No. 85, entitled

"An act to amend section 10137, chapter 163, entitled 'Strays,' and relating to notice and bond."

House bill No. 234, entitled

"An act to repeal sections 4896, 4898 and 4900, chapter 72, article 1 of the Revised Statutes of Missouri, 1899, relating to asylums, and to enact a new section in lieu of said section."

House bill No. 611, entitled

"An act to appropriate the moneys accruing into the 'State Fair Fund,' to the Board of Directors of the State Fair, to be expended in the establishment and maintenance of the Missouri State Fair."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 20, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 288, entitled

"An act amending section six thousand four hundred and sixty-nine of the Revised Statutes of 1899, relating to directors of public libraries."

House bill No. 236, entitled

"An act to encourage the establishment of school libraries and to secure for them good books at least cost."

House bill No. 622, entitled

"An act to provide for the construction of railroad bridges over

rivers, the navigable portions of which lie wholly within the State of Missouri."

House bill No. 342, entitled

"An act to amend section 5941 of the Revised Statutes of 1899, relating to assessment and levy of taxes in cities of the fourth class, with an emergency clause."

Committee substitute for House bill No. 257, entitled

"An act providing for the semi-monthly payment of employes of manufactories."

House bill No. 199, entitled

"An act to amend section 6574 of the Revised Statutes of the State of Missouri of 1899, entitled 'Official oath, etc.,' and pertaining to commissioners of deeds."

House bill No. 574, entitled

"An act to repeal section 4206, article 1, chapter 47, Revised Statutes of Missouri, 1899, and enact a new section in lieu thereof, to be known as section 4206, relating to mechanic's liens."

House bill No. 287, entitled

"An act relating to county clerks retaining certain fees arising from official work performed under the ditching and drainage law, in addition to fees allowed for other work under the Statutes of 1899."

House bill No. 74, entitled

"An act to amend section 2627 of article 7 of chapter 16 of Revised Statutes of the State of Missouri, of 1899, entitled 'Practice and proceedings in criminal cases.'"

House bill No. 64, entitled

"An act to amend article 2, chapter 14 of the Revised Statutes, by adding a new section, to be numbered 1649a, relating to the jurisdiction of the Courts of Appeals, with an emergency clause."

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 22, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 204, entitled

"An act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of one hundred thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement hereof."

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 22, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward herewith the following joint and concurrent resolution, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate committee substitute for House substitute for joint and concurrent resolution No. 12,

"Providing for the amendment of article ten (X) of the Constitution of the State of Missouri, by adding a new section after section 12 of said article, to be known as section 12a of said article, relating to the limit of indebtedness of certain cities."

Under section 14, article V of the Constitution of Missouri, it is unnecessary for resolutions amending the Constitution to be presented to the Governor.

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 22, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 248, entitled

"An act to permit the consolidation of school districts for the purpose of maintaining both primary schools and high school, and to provide for the organization and government of such consolidated districts, with an emergency clause."

Senate bill No. 273, entitled

"An act to repeal section 8811 of article 2, chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof."

Senate bill No. 91, entitled

"An act to repeal section 597, article 5, chapter 8, Revised Statutes of Missouri, 1899, entitled 'Pleading and the rules of pleading,' and to enact a new section in lieu thereof, to be known as section 597."

House bill No. 558, entitled

"An act to amend section 1725, chapter (14) fourteen, article (3) three, Revised Statutes of Missouri, 1899, relating to time of holding circuit court."

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 22, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 358, entitled

"An act to repeal section 4149 of chapter 44 of the Revised Statutes of Missouri of 1899, entitled 'Landlords and tenants,' and relating to changes of venue under said chapter, and to enact a new section in lieu thereof."

House bill No. 469, entitled

"An act to repeal section 10105, article I, chapter 162 of Revised Statutes of Missouri, 1899, entitled 'Stenographers in cities and coun-

ties having three hundred and fifty thousand or more inhabitants,' and to enact a new section in lieu thereof, to be known as section 10105."

Senate bill No. 151, entitled

"An act respecting the identification of criminals."

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 22, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 73, entitled

"An act to amend section 5034, chapter 78, Revised Statutes of Missouri, 1899, relating to barbers—board of examiners."

Senate bill No. 90, entitled

"An act to amend article 2, chapter 22, section 3024 of the Revised Statutes of 1899, relating to Excise Commissioner."

Senate bill No. 323, entitled

"An act to amend section 5064, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words 'one hundred thousand,' in the second and third lines of said section, and inserting in lieu thereof the words 'one hundred and fifty thousand,' with an emergency clause."

Senate bill No. 305, entitled

"An act to amend section 1734 of article 3, entitled 'Circuit courts,' of chapter 14 of the Revised Statutes of Missouri, 1899."

Senate bill No. 322, entitled

"An act to amend section 5066, chapter 80, article 2, Revised Statutes of Missouri, 1899, relating to Charity Boards, by striking out the words 'seventy-five dollars in any one month,' in the ninth and tenth lines thereof, and inserting in lieu thereof the words 'fifteen hundred dollars in any one year,' with an emergency clause."

Senate bill No. 326, entitled

"An act entitled 'An act to authorize boards of aldermen in cities of the fourth class to select depositories for, or to loan moneys in sinking fund.'"

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Substitute for committee substitute for House bill No. 331, entitled

"An act to provide for the holding of primary elections and conventions in counties which now or may hereafter contain more than one hundred and seventy-five thousand and less than three hundred

thousand inhabitants, regulating such primaries and conventions, and prescribing penalties for the violation of such act."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 308, entitled

"Forcible entry and detainer—proceedings before justices of the peace."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 63, entitled

"An act to amend section 4987 of the Revised Statutes of 1899, relating to county counselors, with an emergency clause."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Committee substitute for House bill No. 69, entitled

"An act to repeal section 2305 of article 8, chapter 15 of the Revised Statutes of Missouri, 1899, and to enact four new sections in lieu thereof, to be known as sections 2305, 2305a, 2305b, 2305c."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 320, entitled

"An act to amend section 9824 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools."

Senate bill No. 321, entitled

"An act to amend section 9831 of chapter 154, article 1 of the Revised Statutes of the State of Missouri, 1899, relating to schools."

Senate bill No. 290, entitled

"An act to authorize and empower the Board of Managers or Commissioners of Asylum No. 4, located at Farmington, Missouri, to grant, bargain and sell the right of way for railroad purposes over the land belonging to the State of Missouri for the use of said Asylum."

Senate bill No. 87, entitled

"An act to amend section 1795 of article 5, chapter 14 of the Revised Statutes of the State of Missouri, 1899, entitled 'Destruction of certain papers after five years.'"

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 629, entitled

"An act to amend section 1423, chapter 12, article 2 of the Revised Statutes of the State of Missouri of 1899, in relation to private corporations."

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 23, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate substitute for committee substitute for House bill No. 13, entitled

"An act to repeal sections 8793 and 8794 of chapter 133 of article 2 of the Revised Statutes of Missouri, 1899, and enact in lieu thereof two new sections, to be known as sections 8793 and 8794; and to prevent persons and corporations from working laborers under ground more than eight hours in a day of twenty-four hours, and fixing eight hours as a day for such laborers."

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 25, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 143, entitled

“An act in relation to the Twenty-fifth judicial circuit; dividing the court into two divisions; providing two judges for the transaction of the business of said court; for the appointment of an additional judge, and fixing the salaries of said judges, with an emergency clause.”

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 25, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill 259, entitled

“An act to repeal section 6168 of article 8 of chapter 91 of the Revised Statutes of Missouri of 1899, entitled ‘Cities, towns and villages,’ and to enact a new section in lieu thereof.”

House bill No. 340, entitled

“An act to amend section 8084 of the Revised Statutes of Missouri, 1899, relating to town mutual fire insurance companies.”

House bill No. 390, entitled

“An act to repeal sections 9648, 9649 and 9650, article 11, chapter 151, Revised Statutes of Missouri, 1899, and entitled ‘Roads and highways,’ and enacting three new sections in lieu thereof, and to be known as sections 9648, 9649 and 9650, article 11, chapter 151, to read as follows.”

Senate bill No. 64, entitled

“An act amending article 5 of chapter 91 of the Revised Statutes of 1899, relating to cities of the fourth class, by adding three new sections to said article, to be known as sections 6003a, 6003b and 6003c.”

Senate bill No. 286, entitled

“An act to amend section 5968, chapter 91, article 5, Revised Statutes of Missouri, 1899, entitled ‘Cities of the fourth class.’”

Substitute for Senate bill No. 102, entitled

“An act to amend section 3245 of article 1 of chapter 27 of the Revised Statutes of the State of Missouri of 1899, entitled ‘Fees,’ with an emergency clause.”

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 26, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 325, entitled

"An act to amend article 10, chapter 12 of the Revised Statutes of the State of Missouri of 1899, entitled 'Mutual saving fund, building and loan associations.'"

Senate bill No. 237, entitled

"An act to establish a probation system for juvenile delinquents in certain cities."

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 26, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 399, entitled

"An act to amend section 3253 of the Revised Statutes of the State of Missouri, for 1899, entitled 'Fees of constables.'"

House bill No. 400, entitled

"An act to amend section 3261 of the Revised Statutes of the State of Missouri for 1899, entitled 'Fees of justices of the peace.'"

Committee substitute for House bills Nos. 56, 104 and 30, entitled

"An act to amend chapter 151, Revised Statutes of Missouri of 1899, by adding thereto a new article, to be known as article 12, and to comprise twenty-six sections, to be known as sections 9696a, 9696b, 9696c, 9696d, 9696e, 9696f, 9696g, 9696h, 9696i, 9696j, 9696k, 9696l, 9696m, 9696n; 9696o, 9696p, 9696q, 9696r, 9696s, 9696t, 9696u, 9696v, 9696w, 9696x, 9696y, 9696z, with an emergency clause."

House bill No. 61, entitled

"An act to amend section 2937 of chapter 21, Revised Statutes of Missouri, entitled 'Dower.'"

Senate bill No. 185, entitled

"An act to amend section three (3) of an act entitled 'An act to amend and to reduce into one the several acts relating to the Louisiana Court of Common Pleas, approved March 13th, 1867,' as contained in volume two (2) of the Revised Statutes of Missouri, 1899, page 2573, and enacting two new sections, to be known as sections 3a and 3b."

Senate bill No. 46, entitled

"An act to create the office of License Collector; provide for the election of License Collector; regulate his salary and the salaries and compensation of Deputy License Collector, clerks and employes in said office, and define the duties thereof in cities now having, or which to provide for the payment of the salaries and expenses of said office hereafter may have three hundred thousand inhabitants, or more, and of License Collector."

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 27, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within

the ten days next before the final adjournment of the General Assembly:

Senate bill No. 219, entitled

"An act to amend section 7945 of chapter 119 of the Revised Statutes of the State of Missouri, 1899, entitled 'Insurance,' by adding certain words."

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 27, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 272, entitled

"An act to repeal section 8818 of article 2 of chapter 133 of the Revised Statutes of Missouri of 1899, and to enact a new section in lieu thereof."

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 27, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 84, entitled

"An act to repeal sections 5858, 5859 and 5860 of article 4 of chapter 91, relating to cities of the third class, of the Revised Statutes of 1899, and to enact in lieu thereof three new sections, to be known as sections 5858, 5859 and 5860, with an emergency clause."

Senate bill No. 85, entitled

"An act to enable cities of the fourth class to issue bonds for the purpose of paying judgments and decrees of court, and to provide for an election to be held for the purpose of voting therefor and notice thereof, and for the form of ballots, and to provide for the payment of such bonds, and for the levying of tax therefor, and declaring an emergency."

House bill No. 265, entitled

"An act to amend section 973 of article 1, chapter 12 of the Revised Statutes of 1899, relating to private corporations."

Senate bill No. 255, entitled

"An act to provide for the construction and maintenance of fire escapes for hotels, boarding and lodging houses, school houses, opera houses, theatres, music halls, factories, office buildings, church buildings, and all buildings where people congregate, and to afford the necessary escape from fire in business places and in buildings used for public and private assemblages, and school houses, and to protect and preserve human life, and to repeal all acts in conflict herewith."

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 27, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 316, entitled

“An act creating the office of County Auditor; prescribing his qualifications; providing for his appointment and election; removal from office; fixing his salary and defining his duties; providing for the appointment of a deputy, and also defining the duties of other officers in connection therewith, and prescribing penalties in all counties in this State in which there is a city now containing or which may hereafter contain fifty thousand inhabitants and less than one hundred and fifty thousand inhabitants, with an emergency clause.”

Senate bill No. 143, entitled

“An act to repeal sections 8826 and 8827, article 2 of chapter 133 of the Revised Statutes of Missouri, 1899, entitled ‘Safety and inspection of mines, and enact three new sections in lieu thereof.’”

Senate bill No. 291, entitled

“An act to amend article 4 of chapter 119 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 7930a.”

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

Committee substitute for House bill No. 156, entitled

“An act to repeal sections 3761, 3769, 3770 and 3773, chapter 14, article 1, Revised Statutes of Missouri, relating to juries, and enact four new sections in lieu thereof, to be known as sections 3761, 3769, 3770 and 3773, relieving the county courts from drawing grand juries under the constitutional amendment.”

Senate bill No. 246, entitled

“Lands; granting consent of State to enlarging of United States fish hatchery at Neosho, Missouri.”

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 237, entitled

"An act to make 'Carleton's Abstracts' abstracts of land title in Pemiscot county, or certified copies of the entries therein, evidence in all courts and places in this State."

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 398, entitled

"An act to provide for the assessment and taxation of property which is subject to encumbrance in the form of mortgage, deed of trust or other contract lien, securing a debt, with an emergency clause."

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, April 3, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 523, entitled

"An act entitled 'An act to repeal section 9547 of article 5, chapter 151 of the Revised Statutes of Missouri, 1899, relating to grading, macadamizing, graveling and widening roads,' and to enact a new section in lieu thereof."

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, April 5, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate Committee on Judiciary substitute for Senate bill No. 144, entitled

"An act to authorize trustees in mortgages or deeds of trust of railroad companies to enter satisfaction of the same."

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, April 9, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within

the ten days next before the final adjournment of the General Assembly:

Senate bill No. 328, entitled

"An act to amend sections 1312, 1332 and 1333, article IX, chapter 12, Revised Statutes of Missouri, 1899, and regulating the issue of preferred stock in organizing a corporation or increasing the capital stock of a corporation."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, April 15, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Committee substitute for Senate bill No. 337, entitled

"An act to authorize the Governor to compromise and settle all demands for inspection fees by the State arising prior to March 19th, 1901, under the act approved May 4th, 1899, and known as the 'Beer Inspection law,' and to remit all fines, penalties and forfeitures incurred under said act prior to March 19th, 1901, by parties who shall comply with the provisions of this act; and to bar all prosecutions not now pending against such parties."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, April 16, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, with my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 338, entitled

"An act to amend section 7691 of article IV of chapter 117 of the Revised Statutes of 1899, entitled 'Inspection of beer,' and to fix the fees to be paid therefor."

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, April 17, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit to you herewith, with my approval indorsed thereon, the following bills, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 334, entitled

"An act to appropriate money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first General Assembly."

House bill No. 418, entitled

"An act to appropriate money to pay the deficiencies in the expenses of the State government for the years 1899 and 1900, with an emergency clause."

House bill No. 593, entitled

"An act to appropriate money for the support, maintenance and improvement of the State University and the other educational institutions during the years 1901 and 1902."

House bill No. 609, entitled

"An act to appropriate money for the support of the State government, the payment of the contingent and incidental expenses of the State departments, the public printing, and for the payment of certain other demands against the State for which no appropriation has heretofore been made for the years 1901 and 1902."

Committee substitute for House bill No. 5, entitled

"An act authorizing the appointment of a commission to ascertain and determine the position of Missouri troops in the siege and defense of Vicksburg, and to make an appropriation to pay the necessary traveling expenses of said commission."

House bill No. 267, entitled

"An act for the relief of Edw. J. White and Mrs. Maud L. W. Stevenson and to make an appropriation therefor."

Committee substitute for Senate bill No. 119, entitled

"An act to provide for the appointment of a Factory Inspector and defining his term of service, salary, powers and duties."

House bill No. 608, entitled

"An act to provide for a State license tax on distilled liquors, including whisky, brandy, rum, gin and distilled spirits of all kinds, wines and all kinds of vinous liquors; to create the office of Special License Commissioner, and to provide for the appointment thereof by the Governor."

House bill No. 634, entitled

"An act to provide for the participation of the State of Missouri in the Louisiana Purchase Centennial Exposition, authorized by the act of Congress of the United States, to be held at the city of St. Louis in the year 1903, in commemoration of the acquisition of the Louisiana territory by the United States, and for an appropriation to pay the cost and expenses of the same, with an emergency clause."

House bill No. 312, entitled

"An appropriation to reimburse John G. Evans of Boone county, Missouri."

Committee substitute for Senate bill No. 299, entitled

"An act to create a commission to revise chapter 119 of the Revised Statutes of Missouri of 1899, relating to revenue and the assessment and collection thereof; and to provide for the appointment of said commission and the powers and duties and for the making of a report of the work thereof."

Senate bill No. 161, entitled

"An act to appropriate money out of the State treasury, chargeable to the revenue fund, for reimbursing certain herein named persons for money expended in representing Missouri's material interests at the Trans-Mississippi Exposition at Omaha during the year 1898."

House bill No. 249, entitled

"An act to appropriate the county foreign insurance tax fund for the years 1899 and 1900, and distribute the same as provided in section 8047, chapter 119, article 8, Revised Statutes of 1899."

House bill No. 534, entitled

"An act establishing in the University of the State of Missouri a Chair of Dairy Husbandry; authorizing and directing the Board of

Curators of the University to appoint a professor of Dairy Husbandry; designating the duties of the professor of Dairy Husbandry; appropriating money therefor."

Senate bill No. 171, entitled

"An act to authorize the construction of extensions of railroads and branch railroads within this State."

House bill No. 245, entitled

"An act to amend section 1040 of article 2, chapter 12, Revised Statutes of 1899, relating to railroad corporations."

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Committee substitute for House bill No. 66, entitled

"An act to repeal section 148 of article 8, chapter 1 of the Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof."

The law now provides that in case of an application by an administrator for an order to sell property for the payment of a debt, there shall be a publication in the newspapers of the application for the order, and that notice shall also be served personally upon the heirs if they reside in the county.

This bill requires the publication, but does not require the personal service. It seems to me that it should be just the reverse.

The bill is a departure from the clearly established law of our State.

I cannot approve the change proposed by the bill.

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 396, entitled

"An act to authorize receivers, assignees, guardians, trustees, executors, administrators, curators, or other fiduciaries, or any party in any civil proceeding or suit, to recover the cost of corporate suretyship."

This bill authorizes the proper courts to allow to any receiver, assignee, guardian, trustee, executor, administrator, curator or other fiduciary the costs paid to a guaranty company for the bond of such fiduciary, in addition to the compensation to which he is entitled by law.

If an administrator gives an individual bond the estate is put to no expense. There is no reason why if he chooses to call upon a guaranty company to sign his bond that the estate should pay this additional amount. The administrator or other fiduciary has his choice to give a bond with

individual security or to give it with a guaranty company, and if there is any expense attached to it it should be borne by him.

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 416, entitled

“An act to amend article I, chapter 47 of the Revised Statutes of Missouri, 1899, by adding a new section thereto, to be known as section 4227a.”

This bill undertakes to extend the right to a mechanic's lien upon the property of the wife, where the buildings are erected under contract with the husband, provided the wife knowingly permits the buildings to be constructed.

It is a very easy matter for a contractor to obtain the assent of the wife and to make the contract with her.

The records show in whom the title is vested.

The husband should not be permitted to make contracts that would bind his wife's real estate without her consent, and the mere fact that she knows that the building is being constructed and does not actively interfere to prevent it, should not give a lien, when it is so easy for the contractor to obtain her consent and make the contract with her. It is her property, and should not be taken from her by any arrangement with the husband. This is no hardship on the builder. The records show in whom the title is vested, and it is not difficult for him to contract with the true owner.

It is not the policy of the law to require the wife to offer opposition to the actions of her husband.

It is far better that the person proposing to make the improvements should be required to make the contract with the wife, or to know that the husband has her expressed authority for so doing.

Respectfully,

A. M. DOCKERY,

Governor.

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Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 150, entitled

“An act to repeal section 546 of article 1, chapter 8, Revised Statutes of Missouri, 1899, entitled ‘Code of civil procedure,’ and relating to the form of civil actions and the parties thereto, and to enact two new sections in lieu thereof, to be known as sections 546 and 546a.”

This bill provides that where the husband and wife have separate

causes of action, growing out of the same state of facts, they must join in one suit.

This overthrows established precedents and the settled practice in this State for years.

Under the law as it now stands, the husband may have a cause of action for an injury to his wife, and the wife may also have a separate cause of action for the same injury. There is no more reason why these should be joined in one suit than where two individuals not so connected may have a right to maintain a suit against the same defendant.

It is a departure in legal procedure in this State from all precedents that have been established for years.

The husband may not be ready to bring his suit, or may not care to bring a suit, and there are instances where the husband would not join with the wife in bringing a suit, and she should not be deprived of her own cause of action on that account.

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, March 28, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 290, entitled

“An act to perpetuate and preserve evidence explaining defects in the chain of title to real estate.”

This bill authorizes any person claiming ownership of real estate to file in the Recorder's office affidavits explaining any apparent defects in the title.

There is now upon the Statute books of this State (chapter 59, I. R. S., p. 1081.) ample authority to perpetuate the contents of any lost deed or other instrument of writing, or the remembrance of any fact, matter or thing necessary to the recovery, security or defense of any estate or property, real or personal, or any interest therein. This law provides for a commission to take depositions, for notice to all parties interested. It throws around the depositions the necessary safeguards and authorizes such depositions when properly taken and certified to be filed and recorded in the Recorder's office of the proper county.

Ex parte affidavits might be hazardous, and the law now provides for depositions to cover matters which this bill authorizes to be supplied by mere affidavit.

If the affidavits are to be given any legal effect at all, it would be dangerous to permit them. They are purely ex parte, and any person in possession of real estate may file them, and no safeguards whatever are provided as to the manner in which they shall be taken, and for notice to parties interested.

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 29, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 512, entitled

“An act to amend section 9203 of article 3 of chapter 149 of the Revised Statutes of Missouri, 1899, relating to the collector of the revenue.”

This bill provides that at the general election in 1902, and every four years thereafter, the collectors of revenue in the several counties shall be elected for a term of four years, instead of two years, as now provided by law.

It seems to be a doubtful departure.

The law should afford the people frequent opportunities to change officials who may collect or disburse their money. I think it, therefore, safer not to change the present tenure of the collectors of the revenue.

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 29, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 333, entitled

“An act to amend sections 10423 and 10424 of article 1 of chapter 170, Revised Statutes of 1899, entitled ‘Treasury Department.’”

The present Statute requires the Governor, immediately after the result of the election for members of the Legislature is known, to select and notify one member elected to the Senate and two members elected to the House of Representatives to attend at the seat of government, on or before the 20th day of November, for the purpose of settling the accounts of the Auditor and Treasurer.

This bill changes the law so as to require the appointment of this Auditing Committee on or before the 1st day of September, prior to the regular session of the General Assembly, to be composed of one member elected to the Senate and two members elected to the preceding House of Representatives.

I doubt the wisdom of the proposed change. This committee should be constituted of members-elect, in order that the information in their possession may be available for the use of the House and Senate, not only in the form of a written report, but that they may participate in the discussion upon any matter relating to the offices whose accounts have been made the subject of inquiry.

Respectfully,

A. M. DOCKERY,  
Governor.

Jefferson City, March 29, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill 332, entitled

“An act to amend section 8398, article 1, chapter 123, Revised Statutes of Missouri of 1899, relating to the Legislature.”

Section 8398 of the Revised Statutes of 1899 makes it the duty of the Governor, on or before the 1st day of December, prior to the regular session of the General Assembly, to appoint a special committee of three persons, consisting of one member of the Senate and two members-elect of the House of Representatives, to visit the various State institutions and report to the Legislature.

This bill fixes the 1st day of September, preceding the regular session of the General Assembly, as the date for the appointment of this committee, and the reasons assigned in disapproving Senate bill No. 332 constrain me to disapprove this bill.

Respectfully,

A. M. DOCKERY,

Governor.

Jefferson City, March 30, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 126, entitled

“An act to amend section 4272, article 2, chapter 48 of the Revised Statutes of Missouri, 1899, relating to limitations of actions.”

Cogent reasons should exist for any proposed alteration of the laws affecting the title to real estate. It is important that these rules be well settled, and not subject to frequent changes.

The courts uniformly hold that a mortgage or deed of trust given to secure an indebtedness, is a mere incident thereto, and passes with an assignment of the debt. It is merely a security for the note or other obligation, and, as long as the debt can be enforced, the security stands good for the debt.

Section 4276 of the Statutes of 1899, which was enacted in 1891, provides that there can be no foreclosure of a deed of trust or mortgage after an action upon the note, or other indebtedness secured thereby, is barred. As long, however, as the debt exists as a legal demand, the security therefor is in full force and effect.

It is well understood that the statute of limitations will not bar an action upon a note until ten years after the last payment thereon. In other words, a payment upon a note renews it, and, under the law, as it now stands, also renews the security therefor.

This bill makes a radical change. Every deed of trust, or mortgage, under its provisions, must be foreclosed within ten years after the maturity of the debt; or the mortgage or deed of trust renewed by an instrument duly acknowledged and recorded. The borrower may need the

money and desire to keep it; the lender may be entirely satisfied with his security; the interest may have been promptly paid annually, yet, notwithstanding both parties are entirely satisfied, and no one else is interested in the matter, the mortgagor, or his representatives, must go to the expense and trouble of having proper renewal papers prepared, acknowledged, stamped and recorded. This should not be required in the absence of some conclusive reason therefor. Any person desiring to purchase the property cannot be hurt, because, if he finds an unsatisfied mortgage, he need not buy unless he can ascertain that the note is barred or the debt paid. It is within his power to protect himself.

This bill also provides that the mortgage or deed of trust must be renewed before the expiration of ten years "from the time of the maturity of the debt therein described." A mortgage or deed of trust frequently secures several notes, which mature at different times. Must the renewal be made within ten years from the time the first note becomes due, or from the time the last installment is payable? If it is not done within ten years from the date when the first note or installment matures, but is before the last, will the mortgage be barred as security for the first note, or for the entire indebtedness? The bill leaves this matter open for construction and litigation. It unsettles rules that are fixed and well understood.

The proviso at the close of the bill requires the foreclosure within two years of every mortgage or deed of trust in this State where the debt secured thereby matured ten years ago. There are many instances where the borrower has been making payments upon his debt during these ten years, and is not yet able to discharge the same in toto. The lender, satisfied with his security, is willing to indulge him further, but this bill requires a foreclosure, and the only way to prevent it will be the execution of a new mortgage or deed of trust. It will put the borrower to the expense and trouble of having a new mortgage or deed of trust written, acknowledged, stamped and recorded, as above suggested, in order to save his land. This additional burden ought not to be put upon the man who is compelled to borrow the money in order to protect his property, unless some very great necessity exists therefor.

The bill might clear up the records in some instances where mortgages appear thereon, but there are many cases in which it would operate harshly, and entail useless expense upon those who can least afford to bear it.

The law is now well settled in this State upon this subject, and is understood by the people generally. It should not be disturbed.

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, April 11, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to transmit to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

Senate bill No. 133, entitled

"An act to provide for the formation and disbursement of a public

school teachers' annuity fund in cities now or hereafter having a population of 300,000 inhabitants or more."

This bill provides an annuity for retired and disabled teachers of public schools in all cities which now have or may hereafter contain 300,000 inhabitants. The fund from which the payment is to be made, under the terms of the bill, is supplied in part from the public school moneys of such cities. It is not intended as compensation for services rendered at the time by the teachers, but to aid those who have retired from active service, or who are in need of temporary relief.

The amount to be paid from the public treasury is a mere gratuity. It is in fact a pension provided for those who have been engaged in teaching in the public schools of such cities, and who shall comply with the requirements of this measure.

This bill is now applicable only to the city of St. Louis, but if it is a wise public policy for the State to authorize the payment of gratuities out of the school funds of the city of St. Louis, it must be apparent that it is equally wise to grant the same authority to other school districts.

I am opposed to the principal underlying the proposed legislation. It is the first step in the creation of a civil pension list in this State.

If public school teachers, in their old age or when disabled, are justly entitled to receive contributions from the public treasury for their relief, the same principle calls for a like provision for other public servants in the various departments of the civil government. One class may be just as worthy and quite as needy as the other. The principle is the same and no discrimination can be justly made in its application.

This bill, as I have stated, recognizes the obligation, or at least the right of the State and its municipalities to pension persons out of public moneys for services previously rendered. It matters not that the money in this instance may not come from direct taxation. The city of St. Louis may have other sources of revenue. These, however, belong to the public schools as surely as do the funds arising from taxes upon real and personal property.

The school money, from whatever source it may come, is dedicated to the education of the children of the city, and can not be properly used for the relief of persons in private life, it matters not how worthy they may be.

I may add, also, that if the revenues arising from other sources are to be used for the purpose of a civil pension list, the deficiency thereby created must necessarily be supplied by taxation.

The opinion of the people of this State upon this question has been expressed in no uncertain manner. They have commanded, in the plain and emphatic language of the Constitution, that no public money shall be used by the State or by any of its municipalities as a gift or gratuity to any individual, association of individuals, or corporation. The Constitution has thus erected impassable barriers against gifts, pensions or gratuities of any kind from the people's money.

A police pension law, enacted in 1895, was declared by the Supreme Court to be antagonistic to our Constitution. The principle of that law is in nowise at variance with the principle of this bill.

The State cannot be too careful in guarding public funds. The establishment of a civil pension precedent will certainly lead to still further departures from correct principles.

There is no worthier class of our people and none more deserving

of consideration than those who have devoted their lives to the cause of public education. Every proper effort to give them just, fair and liberal compensation for their invaluable services to the people will meet my cordial approval. Any assistance that I can give to the accomplishment of that result will be cheerfully rendered. I believe, however, that no class will more readily appreciate the grave objections to this bill, the dangerous principle which it inculcates, and the vicious precedent it would establish, than the teachers of the State.

The policy involved in the establishment of a civil pension list must not be confounded with that patriotic and grateful policy of the Republic which provides pensions for its maimed and diseased soldiers, their widows and orphans. The nation has rightfully and cheerfully given liberal pensions to the disabled heroes of all our wars and to those dependent upon them.

The national government, however, has not inaugurated the grave departure that would be involved in the bestowal of pensions upon those engaged in its civil service. Missouri should not initiate this new departure, which seems to be the logical result of a spirit of paternalism that would have the people rely upon the government, rather than have the government rely upon the people.

Convinced as I am that this bill violates a wise constitutional provision, as well as a just governmental policy, I am compelled to withhold my approval therefrom.

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, April 13, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 457, entitled

“An act to repeal section 8199 of chapter 122, article 3, Revised Statutes of Missouri, 1899, and to enact a new section in lieu thereof, relating to proceeds of sales of swamp and overflowed lands, and to amend section 8267, chapter 122, and to amend sections 8282, 8292, 8298 of chapter 122, article 4 of the Revised Statutes of Missouri, 1899, relating to the drainage of swamp and overflowed lands.”

By the act of September 28, 1850, Congress granted to this State the swamp lands lying within its territory. The purpose of this grant was to enable the State to drain and reclaim the lands and put them in condition for cultivation. It was provided that the proceeds of the sales of the lands should be applied exclusively, as far as necessary, for the purposes of reclamation.

The General Assembly of this State, by the act of December 13, 1855, vested the title to these lands in the counties in which they were situated.

In 1868 an act was passed by the Legislature, the 8th section of which is as follows: “The net proceeds of the sales of all such lands, after defraying the expenses of draining, reclaiming, surveying and selling the same, as herein provided, shall be paid into the county treasury and become a part of the public school fund of the county.”

This law has been upon our Statute books for more than thirty years, and is now section 8199 of the Revised Statutes, which it is proposed to amend by the bill under consideration.

Since the law as it now stands was enacted, many acres of swamp lands have been sold, and in some counties at least the moneys arising therefrom have been paid into the county treasury as a part of the school fund. This amounts to many thousands of dollars in one or more counties, and constitutes a very considerable part of the fund provided for the support of the public schools.

The law authorized the county court to make sales, in its discretion, without first draining or reclaiming the land, leaving that to be done by the purchasers. Sales have been made in that way in many instances, I am informed, and the money of course in that event was placed to the credit of the school fund. In other cases the lands have been drained and reclaimed, and after the payment of such expenses, the net proceeds have been paid into the school fund.

The bill under consideration is intended to permit the county court of any county to use "any money now in the county treasury arising from the sale of swamp and overflowed lands," as well as all money that may arise from future sales, for the purpose of building levees and drains and reclaiming swamp lands.

This is not objectionable in so far as it affects the proceeds arising from future sales. If, however, it permits money now in the county treasury, and belonging to the school fund, to be diverted from the use to which it has been dedicated, it manifestly should not become a law. If, upon the other hand, it will not have that effect, but will only apply to money in the treasury which is not yet school money, but held for further reclamation purposes, the bill is wholly unnecessary, as under the present law such money may be so used.

In other words: If the proceeds of the sales of swamp lands have not already been dedicated to school purposes this bill is unnecessary, because the law now gives full authority to use the entire proceeds of the sales of such lands for drainage and reclamation purposes. If, however, the proceeds of the sales of these lands have been placed to the credit of the school fund, then this bill should be disapproved, if its object is to permit the use of school money for reclamation purposes.

The language of the bill is broad enough to embrace "any money in the county treasury arising from the sale of swamp and overflowed lands," and the bill so declares.

The act of 1868, as I have stated, contemplates that the "net proceeds" shall be paid into the county treasury to become part of the public school fund. The language of this bill is sufficiently comprehensive to permit all such money to be withdrawn from the treasury and used in constructing drains and levees, rather than for educational purposes.

The Supreme Court has recently decided that this money is now a part of the public school fund. It was dedicated to that high purpose by the legislative act which has been operative for more than three decades. The Constitution of our State, as well as a sound progressive public policy, protects this fund against diversion to any other use. This is the settled policy of Missouri, and it is now too late to change the disposition of this school money or to put it to other uses, however important or desirable.

I desire to reiterate the statement, that if this bill does not reach the school money, it is unnecessary, for, as heretofore suggested, any

money that has not already become a part of the school fund can be applied now to reclamation purposes.

It may be beneficial and important to the lands remaining undisposed of to carry out a drainage system; it may also enhance the value of the lands owned by individuals and render them more profitable; but I cannot give my consent to take money from a sacred fund, set apart for the education of our children, and permit its use for any other purpose, it matters not how worthy. A wise public policy protests, and the Constitution absolutely forbids.

Respectfully,

A. M. DOCKERY,  
Governor.

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Jefferson City, April 15, 1901.

Hon. Sam B. Cook, Secretary of State:

Sir—I have the honor to forward to you herewith, without my approval indorsed thereon, the following bill, which reached me within the ten days next before the final adjournment of the General Assembly:

House bill No. 375, entitled

“An act to enforce the constitutional right of every child in the State to an education, to provide for truant or parental schools and attendance officers in cities of ten thousand population or more and to prohibit the employment of children during school hours.”

This bill takes from the parent the right to decide when his child, between eight and fourteen years of age, shall attend school, and vests in certain public officials the power to determine this question. It makes a revolutionary change in the theory and practice affecting the rights of parents which have heretofore prevailed in this State. It has sincere advocates whose only desire is to benefit the child and who have no selfish motive in pressing the measure.

I cannot, however, approve this paternal measure, and will concisely state the reasons which compel me to withhold my assent.

The bill violates the constitutional requirement of uniformity in legislation, inasmuch as it makes improper classifications and arbitrary distinctions between children of the same age and residing in the same district, and is therefore obnoxious to the constitutional prohibition against class legislation.

Laws may be made for a class, but not for certain individuals of a class. This bill provides for the compulsory attendance upon a public or private school of children between eight and fourteen years of age, but it exempts from its provisions children whose parents are not able from extreme destitution to provide proper clothing for their children. The bill discriminates in its requirements between children of the same district, when the only distinction is the financial condition of their parents. One rule obtains for the children of the poor and destitute, and another for the children of their more fortunate neighbors. The title of the bill is “An act to enforce the constitutional right of every child in the State to an education,” etc. If this is the purpose, the bill should not fall so far short in its provisions as to exclude those who stand most in need of aid. The bright boy or girl of a destitute family may be as deserving of the benefits which the bill is intended to confer as any other child in the district, and certainly stands more in need of aid. If the State proposes to

take the place of the parents it should not stop at the very place where the necessity for parental aid arises.

The bill confers extra judicial duties upon the courts. It requires excuses for non-attendance to be presented to these tribunals instead of to the parents. The judges of the courts must act as general superintendents of the children within their respective jurisdictions and say who shall and who need not attend school. This is not done in a legal procedure, but seems to be a sort of ex parte supervisory control conferred upon the judicial tribunals over the children of the vicinity. If this is not an unconstitutional enlargement of the jurisdiction of the courts, it is at least an unwise addition to the labors of those whose dockets, in many instances, are now overcrowded.

Truant or parental schools are to be established at the discretion of the boards of Education, and these boards, through their officers, may declare certain children "juvenile disorderly persons" and enforce their attendance at the truant schools. The officer of the board is given great power to enforce this rule. He may decide in his discretion, without the benefit of judge or jury, that a child is a truant and "disorderly juvenile person," and proceed to enforce his own judgment by compelling the attendance of the child at the truant school. The jurisdiction of this officer of the school board is made concurrent with that of the criminal court to enforce attendance.

It is true that parents sometimes neglect the education of their children and there are instances where the welfare of the children would be promoted by taking them from the parents and giving their control to others. It is ordinarily true, however, that the natural affection of the parents for their children is the best security that the interests of the child will be carefully guarded. The natural bonds between the parent and the child can never be ignored by the State without detriment to the public welfare, and no law should interfere with parental authority unless for the most urgent reasons. Mothers and fathers have a greater interest in the welfare of their children than is possessed by any other person. Much of the toil and many of the weary struggles of parents are solely for the benefit of their children. Self-sacrifice has marked the course of father and mother to secure better prospects in life for their children since the earliest dawn of history. Questions relating to the welfare of the child can as a general rule be more safely left for parental solution than if submitted for determination to any public official.

This bill minimizes parental control and magnifies official authority. It takes a long step in the direction of State control of the family and the home. It bristles with pains and penalties.

In considering this bill the inquiry logically suggests itself, if the State assumes the right to decide when, under what circumstances, and how long the child must be kept at school, regardless of the wishes of the parents, then why may not the State decide to what school the child shall go, and what shall be taught, and take from the parent that privilege also? It is only one step farther in the same direction.

In my opinion, this bill is the outgrowth of paternalism.

Hon. J. B. Gantt, one of Missouri's learned justices, in a recent opinion of the Supreme Court, declared that, "Paternalism, whether State or Federal, as the derivation of the term implies, is the assumption by the government of a quasi-fatherly relation to the citizen and his family, involving excessive governmental regulations of the private

affairs and business methods and interests of the people, upon the theory that the people are not capable of managing their own affairs, and is pericious in its tendencies. In a word, it minimizes the citizen and maximizes the government. Paternalism is a plant that should receive no nourishment upon the soil of Missouri." This unanimous opinion of our Supreme Court has my most cordial indorsement, and I think this bill is a long step in the direction of the policy condemned by that decision. I am, therefore, constrained to withhold my approval

Respectfully,

A. M. DOCKERY,

Governor.

## ERRATA.

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Page 91—Senator Bradley introduced bill No. "50" instead of No. "55."

Page 125—Read "Morton" for "Martin," 2nd line, top of page.

Page 298—For S. B. "288," read "228."

Page 456—At foot of page, read House bill "163" instead of "160."

Page 458—For committee substitute House bill "48," read "84."

Page 510—For "was ordered engrossed and printed," concerning H. B. No. 594,  
read "was read first time."

Page 536—For "Senate" bill No. 398, read "House" bill.

Page 538—For "House" bill No. 317, read "Senate" bill.

Page 540—For S. B. No. "322," read S. B. No. "332."

Page 622—For "Senate" bill No. 70, read "House" bill.

Page 646—For S. B. No. "331," read "337."

Page 648—For "S. B." No. 144, read "H. B."



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| 116 | to amend sec. 2267—Crimes and punishments....<br>129, 144, 369, 389, 426, 442   | Schoenlaub .....           |
| 117 | to prohibit purchase and sale of stolen prop-<br>erty.....129, 144, 185, 193, 219, 235  | Schoenlaub .....           |
| 118 | to repeal art. 1, chap. 47—Mechanics' liens.....<br>129, 144, 539, 611  | Schoenlaub .....           |
| 119 | to provide for appointment of State Factory In-<br>spector, etc.....129, 144, 275,<br>299, 322, 325, 326, 642, 674, 680   | Schoenlaub .....           |
| 120 | to prevent and punish desecration of U. S. flag..<br>129, 144, 369, 389, 426, 443, 534  | Rollins (by request).....  |
| 121 | to repeal sec. 2064 and enact new section—Crimes<br>and punishments.....129, 145, 367, 390, 426, 442, 526   | Collins .....              |
| 122 | to amend sec. 6353—Bonds, municipal, cities,<br>towns and villages.....132, 145, 173,<br>179, 190, 201, 219, 291, 328, 335, 345, 380  | Drabelle .....             |
| 123 | to repeal sec. 1427 and enact two new sections—<br>Trust companies.....133, 157, 198, 214   | Farris .....               |
| 124 | to authorize the repayment of moneys hereto-<br>fore paid into treasury to create a scholar-<br>ship fund in University.....133, 145, 274, 742  | Farris (by request).....   |
| 125 | relating to use of Missouri building stone in<br>erection of public buildings.....133, 157, 229,<br>259, 279, 283, 304, 528, 617, 623, 624, 653                                       | Thomas .....               |
| 126 | to provide for appointment of license commis-<br>sioner in cities of 50,000 or more inhabitants..<br>133, 157, 302, 550, 577, 603, 683  | Farris .....               |
| 127 | to provide for primaries and conventions, etc.,<br>in cities of 100,000 and less than 300,000 inhab-<br>itants, etc.....134, 164, 652   | Bradley .....              |
| 128 | to provide for the paroling of convicts, etc.....<br>134, 158, 169, 179, 190, 202   | Drabelle .....             |
| 129 | to authorize transfer of certain law and text-<br>books in State library to University law li-<br>brary.....134, 158, 221   | Rubey .....                |
| 130 | to repeal sec. 2997 and enact new section—Dram-<br>shops.....134, 158, 263, 278, 363, 399, 488, 518   | Orchard .....              |
| 131 | for relief of B. F. Elder and Albert Stone.....<br>134, 158, 399, 421, 476, 522, 550, 575   | Orchard .....              |
| 132 | to amend sec. 7502—Geology and mineralogy.....<br>138, 158, 253, 267, 282, 295, 483, 495, 499, 553  | Clay .....                 |
| 133 | to provide for formation and disbursement of a<br>public school teachers' annuity fund in cities<br>of 300,000 inhabitants or over.....139, 164, 198,<br>133, 238, 256, 660, 689, 774 | Drabelle .....             |
| 134 | to amend sec. 8287—Lands.....139, 165, 274  | Drabelle .....             |
| 135 | to repeal sec. 6709 and enact two new sections—<br>County buildings and removal of county seats<br>.....139, 158, 387, 409  | Whaley .....               |
| 136 | to amend sec. 2921—Divorce, alimony and cus-<br>tody of children.....139, 158, 197, 214   | Costello .....             |
| 137 | to amend sec. 2927—Divorce, alimony and cus-<br>tody of children.....139, 158, 197, 214   | Costello .....             |

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| 138 | An act to amend chap. 20 by adding six new sections—<br>Divorce, alimony and custody of children....<br>139, 158, 197, 214                                 | Costello .....          |
| 139 | to amend sec. 2947—Dower.....139, 159, 197, 214  | Costello .....          |
| 140 | to amend sec 3620—Homesteads.....140, 165, 197,<br>214, 230, 242   | Costello .....          |
| 141 | to amend sec. 1823—Crimes and punishments.....<br>140, 159, 263, 279, 304, 317   | Dowell .....            |
| 142 | to amend sec. 1957—Crimes and punishments.....<br>140, 159, 185, 193, 235, 332, 372, 381, 400  | Clay .....              |
| 143 | to repeal sec. 8826 and enact two new sections—<br>Mines and mining.....140, 159, 349,<br>388, 405, 734, 737, 740, 741, 765                                | Clay .....              |
| 144 | to authorize trustees in mortgages, etc., given<br>by railways to enter satisfaction.....<br>140, 159, 197, 230, 243, 701, 709, 720, 766                   | Haynes .....            |
| 145 | to establish the Missouri General Hospital, etc.<br>140, 165, 272, 299   | Smith (by request)..... |
| 146 | to provide for inspection of gas meters, etc.....<br>140, 165, 251, 267, 282, 297  | Smith .....             |
| 147 | requiring foreign surety companies to make de-<br>posit with Insurance Commissioner, etc.....<br>140, 165, 198, 214, 230, 244                              | Thomas .....            |
| 148 | to prevent insurance of life of person under 15<br>years of age.....141, 165, 263, 279, 304, 318, 377  | Orchard .....           |
| 149 | to repeal sec. 2245—Barbering on Sunday, mis-<br>demeanor.....141, 165, 367  | Sullivan .....          |
| 150 | to repeal art. 7, chap. 91—City parks.....141, 165, 367, 390   | Sullivan .....          |
| 151 | respecting the identification of criminals.....<br>141, 165, 185, 193, 219, 235, 341, 388, 406, 695, 709, 720, 759   | Smith .....             |
| 152 | to amend sec. 4314—Marriage and marriage con-<br>tracts.....141, 166, 253  | Smith .....             |
| 153 | to add sec. 7267a to art. 3, chap. 102—Elections in<br>cities of 300,000 inhabitants or over.....<br>147, 176, 205, 214, 230, 243, 503, 532, 551, 552, 743 | Drabelle .....          |
| 154 | to amend sec. 4358—Mortgages and deeds of trust.<br>147, 176, 398, 421, 482, 516   | Clay .....              |
| 155 | to amend sec. 1192—Regulating passenger charges<br>147, 176, 485, 529  | Rollins .....           |
| 156 | relating to bringing of suits for newspaper pub-<br>lication of libel.....147, 176, 398, 421, 482, 516, 715  | Haynes .....            |
| 157 | to amend sec. 302—State Seminary moneys—col-<br>lateral inheritance—administration.....<br>148, 177, 222, 236, 273, 284, 296, 358, 391, 415, 490, 550      | Zevely .....            |
| 158 | to amend sec. 4358—Mortgages and deeds of trust.....<br>154, 177, 656  | Dowell .....            |
| 159 | to amend sec. 9013—Printing, public.....154, 177, 357  | Schoelau .....          |
| 160 | to prevent importation of afflicted or vicious<br>children.....155, 177, 230, 246, 273, 284, 527, 572,<br>613, 626, 653                                    | Clay .....              |
| 161 | for relief of representatives from this State to<br>Omaha Exposition.....155, 185, 274,<br>299, 325, 329, 355, 667, 676, 689, 690, 768                     | Thomas .....            |
| 162 | to amend sec. 9857—Schools, public.....<br>155, 185, 198, 214, 230, 245, 358, 379, 382, 400, 548   | Thomas .....            |
| 163 | to amend sec. 9809—Pay of county school commis-<br>sioner.....155, 185, 198, 214, 230, 246, 247  | Thomas .....            |
| 164 | to amend sec. 2696—Criminal cases—practice and<br>proceedings—appeals.....155, 185, 223, 230, 247, 273, 285  | Sullivan .....          |
| 165 | to add sec. 6633a to chap. 96—Coroners and in-<br>quests.....155, 185, 211, 369, 530, 426, 443   | Sullivan .....          |
| 166 | to amend sec. 7270—Registration and election in<br>cities of 100,000 or more inhabitants.....160, 186, 327   | Haynes .....            |
| 167 | to amend sec. 1855—Crimes and punishments—<br>enticing away child.....161, 186, 251, 267, 283, 297   | Walker .....            |
| 168 | directing a transfer of moneys from University<br>Educational Tax fund to the General Revenue<br>fund.....162, 186, 274, 299                               | Whaley .....            |
| 169 | for erection of monument to Thomas H. Benton..<br>162, 186, 350, 380, 414, 433   | Clay .....              |
| 170 | to repeal sec. 8043 and enact new section—Taxa-<br>tion of insurance companies.....<br>162, 186, 238, 257, 279, 283, 326                                   | Thomas .....            |
| 171 | to authorize construction of railroads and branch<br>railroads in this State.....162, 186, 203,<br>214, 231, 259, 642, 650, 674, 680, 769                  | Thomas .....            |
| 172 | relating to registration and elections in cities of<br>300,000 or more inhabitants.....162, 186, 218, 236  | Rollins .....           |
| 173 | to amend sec. 7969—Insurance other than life.....<br>162, 186, 275, 299  | Drabelle .....          |
| 174 | to amend sec. 7962—Insurance other than life.....<br>162, 187, 275, 299  | Drabelle .....          |
| 175 | authorizing local fire insurance agents to make<br>schedule of rates.....162, 187, 275,<br>299, 322, 324, 329, 473, 491                                    | Drabelle .....          |

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| 176 | An act to amend sec. 8884—Penitentiary....162, 199, 348, 380   | Collins .....             |
| 177 | requiring mutual life insurance companies to re-<br>port annually to Insurance Commissioner, etc.<br>162, 199, 372, 389  | Orchard .....             |
| 178 | to regulate sleeping car charges.....163, 199  | Orchard .....             |
| 179 | to prohibit sale of milk containing chemical pre-<br>servatives .....163, 199  | Orchard .....             |
| 180 | relating to the employment of convicts, etc.....<br>163, 199, 462, 463   | Schoenlaub .....          |
| 181 | to repeal sec. 6263 and enact new section—Elec-<br>tion of certain officers in cities and towns<br>under special charters and of 10,000 inhabit-<br>ants or less.....163, 199, 222,<br>236, 273, 285, 482, 518, 535, 582 | Morton .....              |
| 182 | prohibiting officers of State institutions from<br>being interested in the furnishing of supplies,<br>etc.....163, 199, 367, 390   | Morton .....              |
| 183 | to repeal sec. 4372—Mortgages and deeds of trust.<br>163, 199, 452, 529  | Morton .....              |
| 184 | to regulate the running of street cars across<br>boulevards, etc.....163, 200, 222, 236, 305, 334, 358   | Collins (by request)..... |
| 185 | to amend sec. 3 of act relating to Louisiana Court<br>of Common Pleas, etc.....171, 200, 253,<br>267, 283, 297, 642, 674, 680, 763   | Biggs .....               |
| 186 | to regulate sale of goods on the installment plan.<br>172, 200, 742  | Schoenlaub .....          |
| 187 | requiring street car companies to issue transfers<br>at all intersecting points.....172, 200, 742  | Rollins .....             |
| 188 | relating to telegraphs and telephones.....174, 200   | Rollins .....             |
| 189 | to prevent the adulteration of food or drugs.....<br>174, 200, 218, 236  | Rollins .....             |
| 190 | to amend sec. 9454—Roads and highways.....174, 200   | Farris .....              |
| 191 | relating to the assessment of sleeping car compa-<br>nies .....174, 200  | Smith .....               |
| 192 | relating to the licensing and taxing of buffet<br>cars, special parlor cars, etc.....174, 201, 263, 279, 304, 318  | Smith .....               |
| 193 | to regulate charges on sleeping cars, parlor cars,<br>etc .....174, 201  | Smith ..                  |
| 194 | to repeal sec. 9874 and enact new section—Schools<br>in cities, towns and villages.....174, 206, 348, 380, 414, 437, 470   | Clay .....                |
| 195 | providing for an annual accounting to policy-<br>holders in mutual life insurance companies,<br>etc.....174, 206, 238, 259, 279, 283   | Thomas .....              |
| 196 | to amend sec. 9828—Schools.....175, 206, 736   | Sullivan .....            |
| 197 | to amend art. 1, chap. 149—Revenue—taxing mort-<br>gages.....176, 206, 327, 341, 388, 406  | Martin (Saline).....      |
| 198 | to amend sec. 9121—Revenue.....176, 207, 327, 341, 388, 407  | Martin (Saline) .....     |
| 199 | to amend sec. 9151—Revenue.....176, 207, 327, 341, 388, 407  | Martin (Saline) .....     |
| 200 | to add sec. 9096a to chap. 147—Recorder of deeds.<br>176, 207, 742   | Martin (Saline) .....     |
| 201 | requiring the State Auditor to prescribe all<br>forms, blanks and books to be used by reve-<br>nue officers, etc.....182, 207, 387, 409  | Whaley .....              |
| 202 | to repeal sec. 10427 and enact new section—Treas-<br>ury department.....182, 207, 351, 380, 415, 434, 762  | Whaley .....              |
| 203 | to repeal sec. 10429 and enact new section—Treas-<br>ury department.....182, 207, 385, 409, 426, 436, 437  | Whaley .....              |
| 204 | to abate the smoke nuisance in cities of 300,000 or<br>more inhabitants.....182, 207, 222,<br>236, 246, 273, 286, 293, 322, 324, 639, 658, 675, 679, 757   | Drabelle .....            |
| 205 | to amend sec. 5157—Bonds, municipal.....183, 207, 745  | Ramp .....                |
| 206 | to amend sec. 995—Corporations, service of sum-<br>mons.....183, 208, 221, 236, 273, 286   | Fields .....              |
| 207 | to punish crime of stealing journal bearings,<br>etc., from locomotives, etc.....183, 208, 263, 279, 499, 547, 575   | Orchard .....             |
| 208 | to amend art. 1, chap. 102—Elections.....183, 208, 383, 410  | Orchard .....             |
| 209 | to amend sec. 973—Corporations.....183, 208, 452, 529, 558, 603  | Orchard .....             |
| 210 | to amend sec. 1719—Courts of record.....183, 208, 655  | Dowell .....              |
| 211 | authorizing the appointment of quarter-master<br>sergeant in National Guard.....183, 208, 303, 529, 571, 603   | Jewell .....              |
| 212 | to provide for a donation by the State of court<br>reports to certain libraries.....183, 208, 351, 380, 415, 434   | Lee .....                 |
| 213 | to re-enact secs. 2303 and 2304—Crimes and pun-<br>ishments, game.....188, 208, 252, 267, 283, 299, 340  | Morton .....              |
| 214 | to amend sec. 7270—providing for registration of<br>voters in cities of 100,000 or more inhabitants.<br>189, 208, 218, 236, 273, 286, 307, 334, 357, 523, 539, 549, 556  | Haynes .....              |
| 215 | to amend sec. 7905—Insurance other than life.....<br>189, 224, 236, 398, 495, 516  | Drabelle .....            |

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| 216 | An act to provide for recording mortgages, etc., given by railroads.....189, 224, 447.   | 529 Morton .....              |
| 217 | to repeal sec. 9800 and enact a new section—Schools.....189, 224, 348, 380, 507, 548,  | 575 Sullivan .....            |
| 218 | to amend secs. 7090-91—Elections, publication of ballots.....194, 224, 653   | Morton .....                  |
| 219 | to amend sec. 7945—Insurance.....195, 231, 371, 389, 413, 439, 749, 753,   | 764 Schoenlaub .....          |
| 220 | to repeal art. 7, chap. 15—School book commission.....195, 232,  | 736 Jewell .....              |
| 221 | to prevent the sale of arsenic, cocaine, opium, etc., by any one other than a registered pharmacist.....195, 232                       | Smith .....                   |
| 222 | to amend sec. 2996—License tax on dramshops.....195, 232, 252, 254, 279,   | 283 Ramp .....                |
| 223 | relating to circuit attorneys in circuits in city of 300,000 or more inhabitants, etc.....195, 232, 396, 402, 428, 459, 642, 674, 679, | 745 Drabelle .....            |
| 224 | providing for the registration of land titles, etc.....195, 232, 447,  | 529 Clarke .....              |
| 225 | to add sec. 1443c to chap. 13—Costs in civil cases.....195, 232, 335, 363, 446,  | 471 Walker .....              |
| 226 | providing for erection of a monument to Gov. Robt. M. Stewart.....196, 232, 350, 377,  | 400 Haynes .....              |
| 227 | authorizing the State to supply certain libraries with court reports.....205, 232  | Drabelle .....                |
| 228 | to amend sec. 5937—Cities fourth class.....205, 233, 253, 267, 283,  | 298 Bradley .....             |
| 229 | to provide against use of poisons or other deleterious products in food products.....206, 233, 367, 390, 413, 439,                     | 607 Jewell (by request) ..... |
| 230 | creating a free public library commission, etc.....210, 233  | Morton (by request).....      |
| 231 | to amend sec. 947—Corporations.....211, 233  | Smith (by request).....       |
| 232 | relating to the propagation and preservation of animals and fish.....211, 238, 369, 390, 464, 515,                                     | 532 Lee .....                 |
| 233 | to amend sec. 3737—Juries.....233, 239, 335,   | 336 Bradley .....             |
| 234 | to require telegraph companies to pay taxes upon their gross earnings.....233, 239   | Morton .....                  |
| 235 | to amend secs. 4750 and 4751—Agriculture, imitation butter.....233, 239, 447,  | 529 Tandy .....               |
| 236 | to repeal secs. 4750 and 4751 and enact new sections—Imitation butter.....217, 239, 369, 390, 414, 438, 628, 632, 649,                 | 755 Tandy .....               |
| 237 | to establish a probation system for juvenile delinquents in certain cities.....217, 239, 292, 305, 341, 342, 392, 408, 639, 689, 690,  | 763 Tandy .....               |
| 238 | providing for the publication of personal assessment lists except in cities of 300,000 or more inhabitants.....218, 239, 387,          | 410 Clarke .....              |
| 239 | to repeal art. 2, chap. 22—Dramshops—Excise Commissioner.....218, 240  | Schoenlaub .....              |
| 240 | to repeal secs. 2834 and 2835—Costs in criminal cases.....218, 240, 416, 474, 513,   | 520 Collins .....             |
| 241 | compelling associated press companies to furnish news to all newspapers.....223, 240, 251, 283,  | 294 Thomas .....              |
| 242 | requiring insurance companies to attach to policies copy of application, etc.....223, 240, 372, 389                                    | Zevely .....                  |
| 243 | to amend sec. 4358—Mortgages and deeds of trust.....224, 240, 742  | Rubey .....                   |
| 244 | to prevent the stealing of domestic fowls.....229, 264, 267, 305   | Dowell .....                  |
| 245 | to repeal sec. 3244 and enact a new section—Salaries and fees.....229, 264, 325, 341, 388, 408, 433,                                   | 515 Orchard .....             |
| 246 | authorizing sale of lands to U. S. for Neosho fish hatcheries.....229, 264, 378, 379, 415, 734, 739, 741,                              | 765 Tandy .....               |
| 247 | to regulate charges of telegraph companies.....229, 264  | Thomas .....                  |
| 248 | to authorize consolidation of school districts for purpose of maintaining high school.....229, 264, 348, 380, 415, 432, 715, 722, 723, | 758 Thomas .....              |
| 249 | relating to stock pens at railroad stations.....228, 265   | Cooper .....                  |
| 250 | to amend chap. 118—Institutions, eleemosynary.....249, 283, 310, 326, 339, 360, 373, 443, 527, 539,                                    | 577 Farris .....              |
| 251 | to amend sec. 7131—Primary elections in cities of 100,000 or more inhabitants.....251, 276, 310, 334, 360, 528, 539, 549,              | 556 Haynes .....              |
| 252 | to regulate operation of and limit fares of passengers on street railways in cities of 100,000 or more inhabitants.....259, 276        | Jewell (by request).....      |
| 253 | to further regulate the practice of law.....261, 283,  | 742 Farris (by request) ..... |
| 254 | to create a Board of Election Commissioners in cities of 300,000 inhabitants, and repeal art. 8, chap. 102.....261, 312, 652           | Davisson .....                |

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| 255 | An act to provide that fire escapes shall be maintained on certain buildings.....261, 312, 368, 389, 414, 437, 702, 723, 724, 764                                       | Collins .....                      |
| 256 | to amend sec. 3265—Fees.....261, 312, 325, 341, 388, 408, 443   | Walker .....                       |
| 257 | to amend sec. 5187—Bridges.....261, 312, 386, 419, 426, 449   | Walker .....                       |
| 258 | to regulate opera houses, etc.....261, 312, 367, 590, 414, 433  | Smith .....                        |
| 259 | to repeal sec. 6168 and enact new section—Cities, towns and villages.....262, 312, 347, 380, 415, 431, 643, 675, 689, 690, 762  | Smith (by request).....            |
| 260 | to add secs. 2298a and 2298b to art. 8, chap. 15—Crimes and punishments.....262, 312, 376, 389, 408, 421, 476, 477, 523, 549  | Smith (by request).....            |
| 261 | regulating the erection of electric light poles, etc., on public roads.....262, 313, 365, 410, 426, 440   | Matthews .....                     |
| 262 | to amend art. 8, chap. 15—Crimes and punishments.....262, 313, 368, 390, 414, 438   | Matthews .....                     |
| 263 | to repeal sec. 2998 and add new section—Crimes and punishments.....262, 313, 368, 389, 413, 439   | Matthews (by request)..            |
| 264 | to create the office of Excise Commissioner in counties of 175,000 or more inhabitants, etc.. 271, 313, 435, 474  | Morton .....                       |
| 265 | allowing judges of the Supreme and Appeals Courts each to have a clerk.....272, 313, 371, 389, 414, 438   | Matthews .....                     |
| 266 | to amend sec. 4778—Animals restrained.....275, 313, 368, 389, 446, 495, 516   | Tandy .....                        |
| 267 | to amend sec. 7746—Salaries.....275, 313, 399, 421  | Lee .....                          |
| 268 | to amend sec. 9560—Roads and highways.....275, 313, 365, 410  | Lee .....                          |
| 269 | to amend sec. 7071—Elections.....275, 314, 384, 410   | Morton (by request).....           |
| 270 | to create a Board of Excise Commissioners in counties having a population of 150,000 and less than 300,000.....281, 314   | Clarke .....                       |
| 271 | to create the office of Excise Commissioner in counties having an assessed valuation of \$15,000,000 or more, etc.....282, 314  | Lee .....                          |
| 272 | to repeal sec. 8818 and enact a new section—Mines and mining.....282, 314, 350, 380, 415, 419, 715, 726, 738, 764   | Clay .....                         |
| 273 | to repeal sec. 8811 and enact new section—Mines and mining.....282, 337, 350, 380, 415, 420, 701, 709, 721, 758   | Clay .....                         |
| 274 | to regulate the sale of cocaine, etc.....282, 337, 384, 409, 426, 440   | Rollins .....                      |
| 275 | to amend sec. 3020, relating to the transfer of dramshop licenses.....282, 337, 377, 389, 429, 460  | Collins .....                      |
| 276 | providing for the registration of voters and primary elections in counties of 150,000 inhabitants.....287, 337, 652   | Jewell (by request).....           |
| 277 | to amend secs. 7131 and others—Primary elections.....287, 337, 653  | Costello (by request).....         |
| 278 | to repeal sec. 9522 and enact new section—Roads and highways.....287, 337   | Lee .....                          |
| 279 | to repeal sec. 8563—Mechanics' liens.....288, 337   | Walker .....                       |
| 280 | to repeal sec. 3047—Druggists and their licenses.. 288, 338   | Walker .....                       |
| 281 | to add three sections to art. 1, chap. 22—Dramshops.....288, 338  | Walker .....                       |
| 282 | to provide for the election of justices and constables in cities of 300,000 inhabitants and to repeal art. 22, chap. 91.....288, 338, 386, 410                          | Collins .....                      |
| 283 | to repeal secs. 6539 and others and enact new sections, relating to juries in cities of 300,000 inhabitants.....288, 338, 398, 421, 478, 537, 581                       | Collins .....                      |
| 284 | to collect a corporate franchise tax, etc., and amend general revenue law.....288, 338, 598   | Whaley .....                       |
| 285 | to collect a corporate franchise tax, etc., and providing for the assessment by the State Board of Equalization of certain kinds of property. 289, 338, 599             | Whaley .....                       |
| 286 | amending sec. 5968—Cities fourth class.....291, 338, 347, 380, 415, 432, 643, 674, 679, 762   | Fields .....                       |
| 287 | repealing secs. 1939 and 1940—Providing penalties for altering gas meter—electric light, water, steam and refrigerating companies.....291, 352, 354, 369, 389, 446, 472 | Martin (Saline) (by request) ..... |
| 288 | repealing sec. 809, enacting new section—Appeal, stay of execution.....297, 352, 538, 611, 632  | Dowell .....                       |
| 289 | to amend sec. 278—Appeals from probate.....301, 352, 447, 529, 564, 695   | Zevely .....                       |
| 290 | authorizing Board of Asylum No. 4 to sell right of way for railroad.....310, 352, 384, 410, 429, 464, 702, 717, 736, 738, 761   | Clay .....                         |

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| 291 | An act adding amendatory sec. 7930a—Insurance on stipulated premium plan.....310, 352, 461, 478, 495, 516, 667, 674, 679, 765                 | Rubey .....              |
| 292 | adding amendatory secs. 2932a and 2932b—Divorce, alimony, etc.....319, 352, 398, 421, 481, 517  | Haynes .....             |
| 293 | adding amendatory secs. 2866a and 2866b—Damages and contributions in tort.....331, 352  | Farris .....             |
| 294 | to amend sec. 2764—Criminal cases—practice and proceedings.....331, 352, 367, 390, 446, 472   | Farris.....              |
| 295 | adding five new sections to art. 15, chap. 16—Cost in criminal cases.....331, 401   | Farris .....             |
| 296 | amending sec. 5060—Board of Charities.....331, 401, 450, 529, 564, 605  | Farris .....             |
| 297 | amending sec. 4949—Fixing compensation of prosecuting attorneys.....331, 401, 742   | Whaley .....             |
| 298 | Appropriating money to prosecute drainage canal suit .....  | Drabelle .....           |
| 299 | creating commission to revise chap. 149, R. S. 1899—Assessment and collection of the revenue 333, 401, 452, 495, 496, 628, 666, 688, 689, 768 | Rubey .....              |
| 300 | amending sec. 7732—Eleemosynary institutions....334, 401, 450, 529, 558, 583  | Walker .....             |
| 301 | to define and protect undertakers from insurance companies and fraternal associations....334, 401, 538, 611                                   | Collins .....            |
| 302 | repealing sec. 3871, enacting new sec. 3871—Commencement of suits, service of process, etc....334, 402, 742                                   | Collins .....            |
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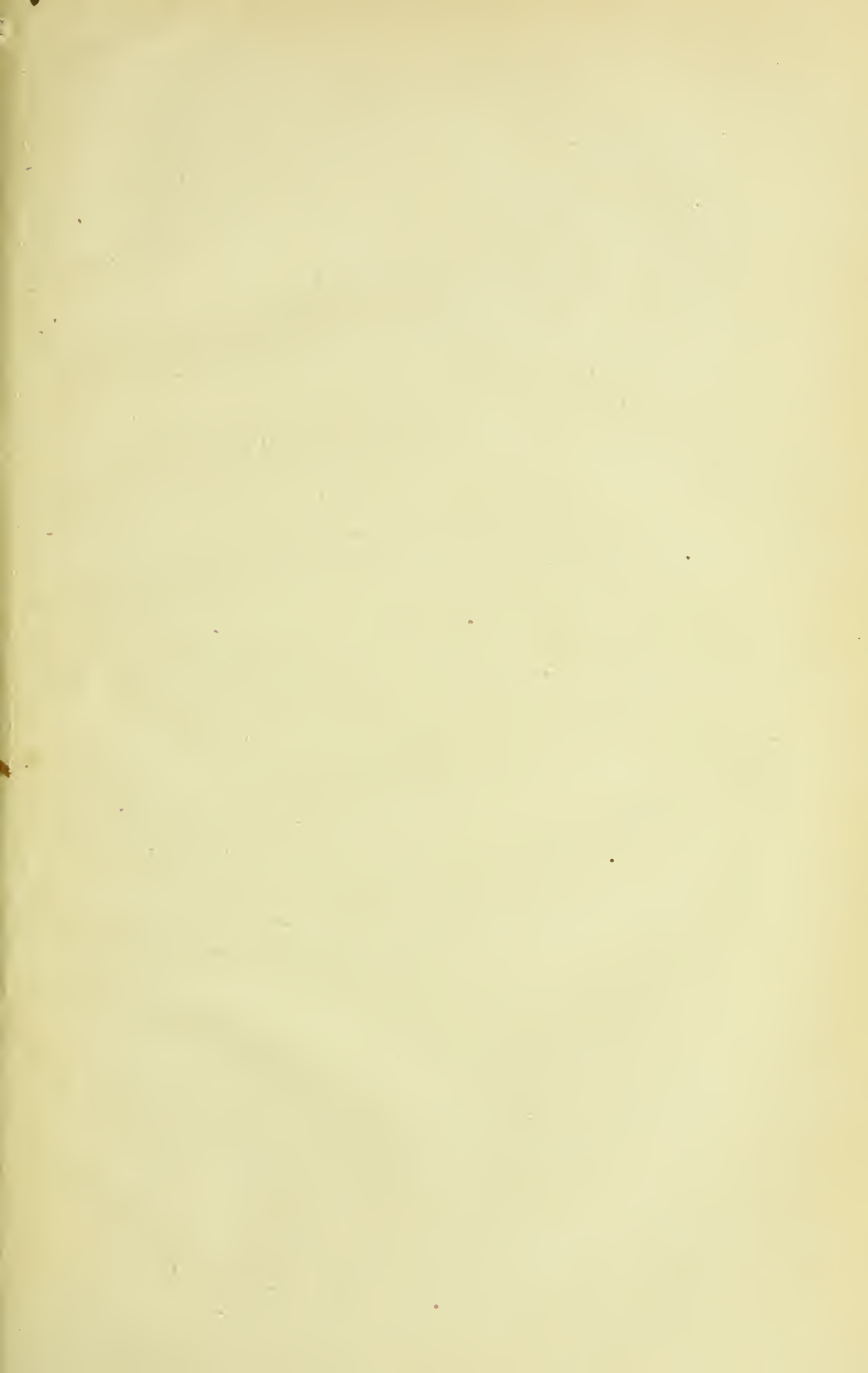
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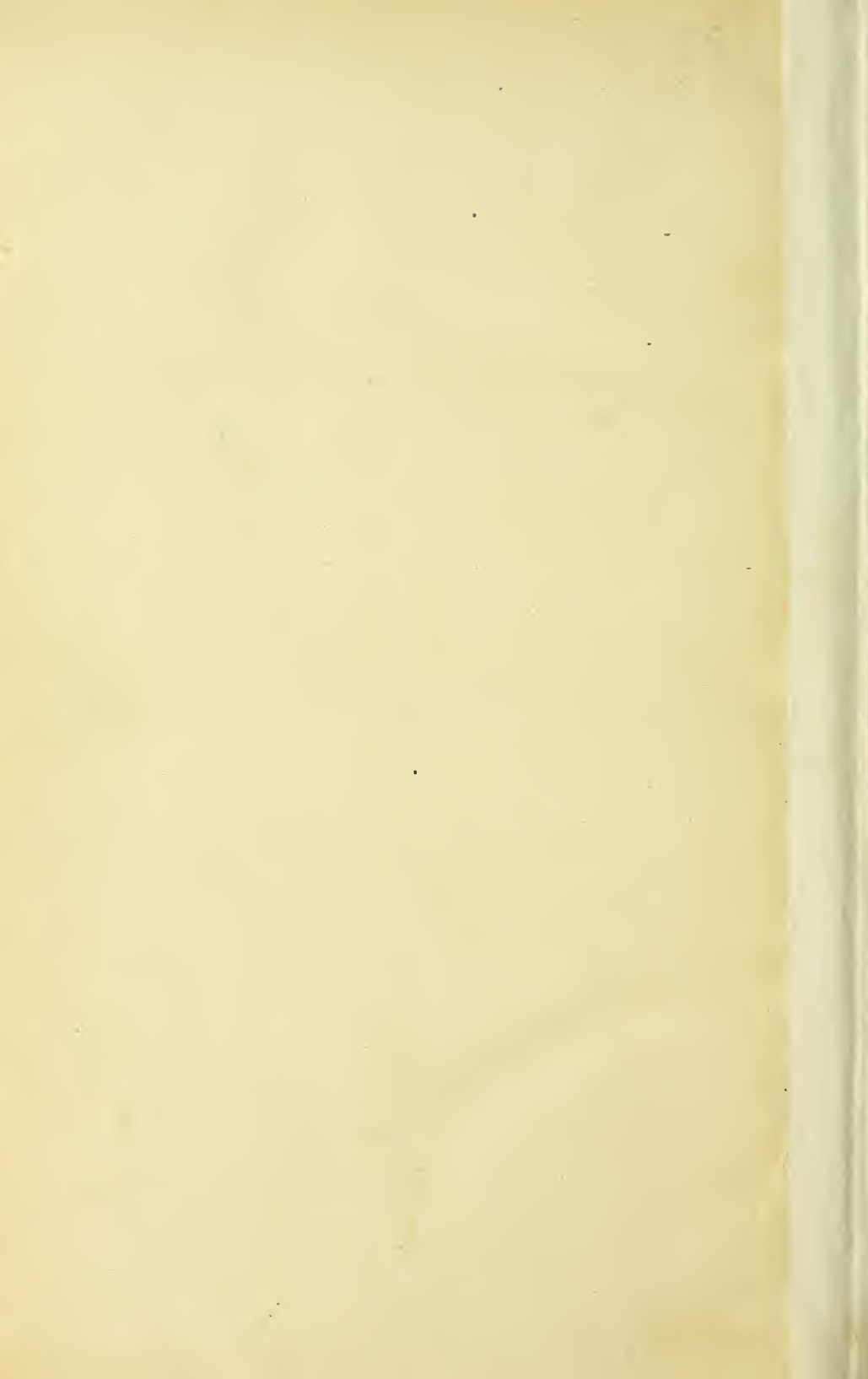


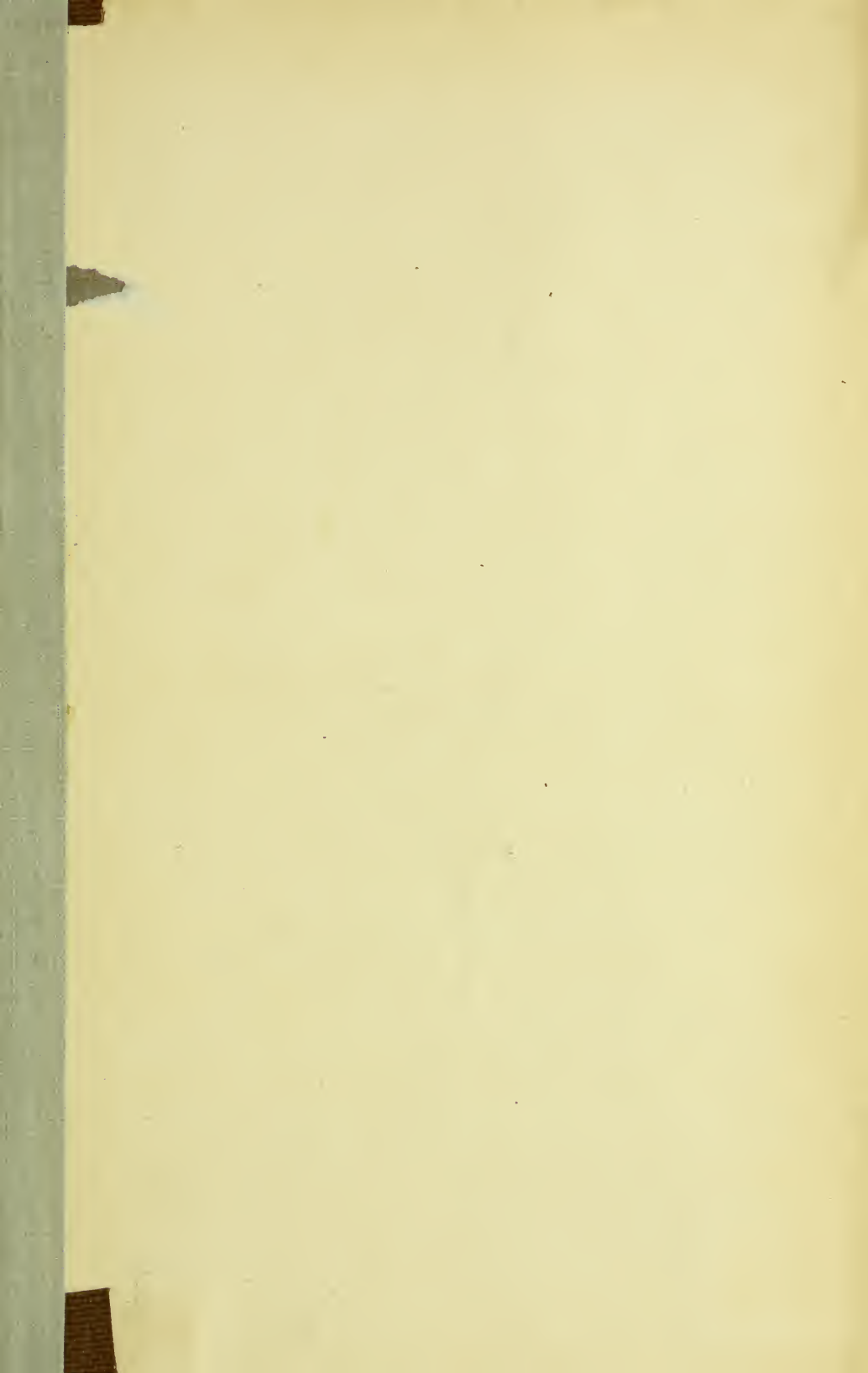












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